Recd 22 June Dis Ratts. J. 88 416
FH.

182

~~No 182 Ltr~~

United States Legation

Japan April 28th 1871

From C. E. De Long

Envoy Extraordinary and

Minister Plenipotentiary.

Contents.

Acknowledging receipt of dispatches

62, 63, 64, 65, 66, & 67,

Instructions contained in Gen No

relative to missing dispatches follows

182

~~62 to 67~~ United States Legation

Yokohama Japan April 28th. 1871

Sir.

I have the honor to acknowledge the

receipt of your dispatches Nos. 62. 63.

65. 66. & 67. and to inform

that I have executed your instructions

to re-numbering my dispatches since

is No 182.

I have the honor to be

Sir.

Your Most obedient Servant

C E DeLong

Hamilton Fish

Secretary of State

Washington D C.

C E De Long

No 182.

Recvd.

Acknowledging receipt of Dispatches 82 & 83, inclosure & advising of having re-numbered my dispatches as directed in yours No 65

ack'd 22 June 71 Pratt.

DEPARTMENT RECEIVED JUN 21 1871 OF STATE

Legation Yokohama

Japan May 8th 1871

No 183
~~No 165~~

From C C De Long

Envoy Extraordinary and

Minister Plenipotentiary

Dept Confuls. June 22: 71

Asking to be supplied with blank drafts

also blank account-forms for Salary and

Contingent Expenses.

Send that Day June 22 1871

No 182. ~~No~~
183.

U.S. Legation Yokohama

Japan May 8th. 1871

Sir.

As Mr Portman in transferring the archives and property of this Legation to me kept back amongst other things all forms of statements of account for Salary Contingent Expenses &c. and also all forms used for drawing drafts or Bonds Bottoms &c. and also on your Department for loss by Exchange I have to request that you will kindly supply me therewith by return mail.

I have the honor to be

Sir. Your most obedient Servant

E. A. Lang

Hon Hamilton Fish

Secretary of State

6 C. 1 Sess.

No 183

Received

Asking for a supply of
Blank Statements of
Account-Drafts &c

猶々先刻態ゝ御出者被下候処帰者之時刻
延引及御断候得共右使行違御出者相成り御
目ニ懸りず申残念ニ御坐候

貴意如斯御坐候以上

明治三年
庚午　月　日

外務大輔
寺島従五位藤原宗則

外務権少丞
澤従三位清原宣嘉

米国公使
チャルレスイデロ殿

産及候者モ不少ヨリ従来之厳禁ニ有之犯法之国民共
夫々査糺之上断然差留候事ニ有之候ハヽ猶委細ニ伝ハ
御面會之序可申述候将又會津藩米国商船
備入之儀ハ篤ト同藩地ニ而尚ニ上可申進候右可得

以手紙致啓候然者本月廿日御面晤御座候貴
国ニテシリート氏ニ係リ候事件筭ト相糺シ候處右ニ面晤
ニモ申述候通リ空米相場取引之儀ハ商業ト自カラ相違致
シ賣買ニ付我國商人共互ニ賭事致シ勝負ヲ爭ヒ往々破

Enclosure No 1324
With Despatch No 183

Japanese Version

95

此段田岩如此御坐候以上

明治三年　外務大輔
午八月　廿七日　寺島　從二位藤原宗則

外務少丞
澤　從三位清原宣嘉

米国公使
チヤルレスイロニガ
殿下

ハ我政府決而差止不申候得共我人民關係之儀、
飽迄難差詰候此儀ニ付強テ御議論有之候ハ
我内地之政令ニ御關係被成候節ニ相当リ甚以
不審ヲ招候間平心ニ御推慮有之度存候

論ヲ竢タス迄モ無之政府於テハ災ヲ未然ニ察シ
預メ制禁セシメ候處其法令ニ背叛致ス候得者
其犯法タルヿ明白ニ候右犯法之國民ニ夫々査
糾之上斷然差止候儀ニ有之候尤貴國人商業
之為貴國或ハ他ノ外國人ト右等之取扱被成候ヿ

為メ往々生産ヲ破リ候族モ不少ニヨリ其来
國家之憔悴ヲ醸シ候事ニ付後来厳禁ニ
有之候ニ付書中犯法之廉ホタ御刀鉾不相成哉ニ候
得共凡國民ト云ヒテハ其政府之命令ニ遵守スヘキハ辨

貴國商人ヲ以テ係リ候空米相場取引
之儀ニ付縷々御細示之趣致承知候右者此程ニ申
進置候通リ尋常之商業トハ自ラ相違致シ賭博之
業ニ近無頼之行迹ニシテ利益ヲ計較ニ是力

第七号

貴國第九月二日附之御書翰落手然者

Mr Swatow
June 21
Ans'd 22 June Pratt.
To — Yokohama July 1

U. S. Legation, Yokohama

No 184. Japan, May 10th 1871

From C. E. DeLong

Envoy Extraordinary and Minister Plenipotentiary

Contents.

Submitting for instruction a matter in controversy about the right of the Japanese Authorities to prevent one E. M. VanReed from conducting a Rice and Oil Exchange at Yedo.

No 184 U.S. Legation, Yokohama

Japan. May. 10. 1871.

Sir

In my dispatch No 146 of the 14th of February last, I alluded to the fact that one E. N. VanReed, an American citizen resident here, had opened a place of business at Yedo, called here a Kaishio, at which he was engaged as a broker in making auction sales of Rice, oils &c.

That in this business he had been unwarrantably interfered with by the Authorities, who by an edict had prohibited their people from dealing with him.

That in his business prior to the time

of

Hon. Hamilton Fish

Secretary of State

Washington D.C.

of this interference had been a very profit-
able one, and if I could not succeed in con-
vincing these Authorities of their error, and
inducing them to allow the business to
proceed as usual, Mr VanReed would un-
doubtedly claim damages in a large sum,
and call upon me to act upon his claim.

I further advised you that the
Authorities here, admitting their interference
as charged, had justified and defended
their action on the ground that the
conduct of such business was in their
view a species of gambling, and in viola-
tion of an old custom of their Empire.

That I viewed this defence as a
specious and false one, for several reasons.
First, because they were allowing several
other institutions of the same kind to be
carried on here, both by other foreigners
and

and by Japanese. Second, because know-
ing that one of the Vice Ministers for Foreign
Affairs was deeply prejudiced against
Mr Van Reed, I believed, and still believe,
that this action resulted mainly from
that personal dislike: and, lastly, because
I considered that, in fact, no such an-
cient custom of the Empire ever had any
existance, as their Excellencies, when called
upon by me for information as to when, and
how it was adopted, or what record proof
there was of it, could not, or would not,
furnish me with any satisfactory infor-
mation, whilst from a current of Japanese
authority, I was led to believe that no such
custom ever had any existance, but that,
in fact, the Japanese merchants had from
time immemorial freely engaged in this
same Kind of business.

In

In view of these facts, I considered it to be my duty to insist upon the principle that my countrymen, at all of the ports opened by treaty to trade should be allowed without interference to engage in all such classes of business as were usual and lawful in our own country, unless some exception against the conduct of such business was made in the Treaty itself, or unless it satisfactorily appeared that some Japanese law prohibiting such trade did actually exist and was impartially and generally enforced.

Under this belief as to my duty, I have taken up this matter in conjunction with Mr. C. O. Shepard our Consul at Yedo, and we have vainly endeavoured to amicably adjust it with these Authorities, and it remains for me now

now to submit the matter to you, with the proofs and correspondence, for your review and instruction.

I beg leave, however, to mention to you the fact that this interference is indeed very serious to Mr VanReed, and he much desires a speedy settlement of the business in some way. In addition to this, your action in this matter will establish a somewhat important precedent in a similar class of cases, for which reason it will attract much of the attention of the foreign community here.

On the 3d of this month, I received from Mr. Shepard a letter upon this subject (Enclosure No 1) enclosing twenty-two documents which I beg leave to enclose copies of, in a somewhat irregular way marking each separately, thus making 1/183

Enclosure 1

2 & 23/183 enclosures Nos. 2 to 23 inclusive.

I also enclose to you copies of certain private notes that Mr Van Reed

27/183 addressed to me (Enclosure No 27), as they seem to throw some light on his actions in this matter.

25/183 Enclosure No. 25 is a copy of a letter on the subject addressed to me by the Japanese Ministers, after I had first conferred with them about this subject.

26/183 Enclosure No. 26 is my reply thereto.

27/183 and Enclosure No 27 is their reply to my letter, concluding our correspondence on this subject

I have the honor to be

Sir

Your most obedient servant

Edd Long

Enclosures

No. 1. C. O. Shepard to C. E. DeLong.

No. 2. Jno. VanReed to the Japanese Authorities.

No. 3. Japanese Authorities to C. O. Shepard.

No. 4. C. O. Shepard to Japanese Authorities.

No. 5. Japanese Authorities to C. O. Shepard.

No. 6. C. O. Shepard to C. E. DeLong.

No. 7. C. E. DeLong to C. O. Shepard.

No. 8. C. O. Shepard to Japanese Authorities.

No. 9. Japanese Authorities to C. O. Shepard.

No. 10. A. R. Langthorn to C. O. Shepard.

No. 11. C. O. Shepard to C. E. DeLong.

No. 12. Affidavit of J. D. Riley.

No. 13. Statement of F. O. Arnold.

No. 14. Japanese Authorities to C. O. Shepard.

No. 15. E. M. VanReed to Japanese Authorities

No. 16. Japanese Authorities to E. M. VanReed.

No. 17. E. M. VanReed to C. O. Shepard.

No. 18. C. O. Shepard to Japanese Authorities.

No. 19. Kaishio Rice delivery Book

No. 20. Japanese Authorities to C. O. Shepard.

No 21. Account Book of Kaishio

No. 22. Circular of Japanese and Foreign Stock Exchange in Tokei

No. 23. Table of profits of the Kaishio

No. 24. Japanese Ministers to C. E. DeLong.

No. 25. C. E. DeLong to Japanese Ministers.

No 26. Japanese Ministers to C. E. DeLong.

No 27. Private Letter. Van Reed to C E DeLong

Regulation Yokohama May 10 to 11 1871

To be closed

On 1874

27. Residence

Custom

Commercial duties shall be paid in Mexican dollars or their equivalent in Japanese money at the rate of exchange current at the time

Copy.

No 12. United States Consulate

Yedo April 1st 1871.

Honorable C. E. De Long

Envoy and Min Plen.

Yokohama.

Sir

I transmit herewith all documents and proofs in my possession relative to the claim of Mr Van Reed against the Japanese Government, on account of their interference with and suspension of his Produce Exchange business, known as Van Reed & Co.

The matter is so plain, and their interference in the business so patent, undenied and undeniable, that it needs no lengthy explanation.

The Enclosures are as below.

I am, Sir,

Your Respectfully,

Your obedient Servant,

(signed) H. C. Shepard

Consul

Enclosures 22.

No 1. Jap: Heads to Japanese Authorities

2. Jap: authorities to H. C. Shepard

3 H. C. Shepard to Jap: Authorities

4 Jap. Authorities to H. C. Shepard

5 H. C. Shepard to Hon H. H. DeLong

6 Hon H H DeLong to H. C Shepard

7 H. C Shepard to Jap Authorities

8 Jap. Authorities to H. C Shepard

9 A.R. Langthorne to Do.

10 H. C Shepard to Hon H. H. DeLong

11 Affidavit of J. D Riley

12 Declaration of C. C. Arnold

No 13. Jap. Authorities to C. O Shepard

14 C. M. Van Reed to Jap. Authorities

15 Jap. Authorities to C. M. Van Reed

16 C. M. Van Reed to C. O. Shepard

17 C. O Shepard to Jap. Authorities

18. Jap. Authorities to C. O Shepard

19. Kaisho rice delivery book

20. Do. Do. & coolie, weighing & Tondown Keepers receipt.

21 Circulars of Jap & Foreign Stock Exchange in Yokei

22. Table of the profits of Kaisho

Enclosure

Legation Japan

With Despatch No 184.

Letter of C O Shepard
Consul to C E De Long committing
evidence & copies of correspondence
about the Rankin Matter.

No 1

April 17th 1871

Copy.

May 1. 1870.

To the Saibansho Authorities,

I respectfully beg to protest against the interference of the Govern't in my business arrangements at Tskiji. Here I have been under great expense in building a trading establishment.

If free intercourse is not immediately accorded me with Japanese Merchants to trade there, & liberty given my agents & Yanguas; Sallyra, Sadaticki, Shohach and Kenjo to aid me there, I will lay complaint to Mr Le, the American Minister to protect me in my rights and privileges under the Treaty.

With respect & consideration

Van Reed

Enclosure

Legation Japan

With Despatch No 184.

Letter of S M Van Reed to
the Governor of Yedo.

No 2

Dated May 1st 1870.

Translation

20th May 1870.

Tokei.

Sir

I have the honor to inform you, that Mr Van Reed made us a complaint regarding to his purpose to build a trading establishment at Tokei for trading with Japanese Merchants, and to place the Japanese named Yasujiro Daikyichi, Sadakichi Shirachi and Kenjo at the said establishment as his agents. According to the stipulation of Treaty I have never no objection to employ the Japanese for trading purposes, and

to

Jo. H. A Shepard Esq

U.S. Consul

Inclosure

No Legation Japan

With Despatch No 184

Letter of Japanese Governor
to Consul Shepard

No 3.

Dated May 20 th 1870

No 11 Consulate of the United States

Yedo May 23-78

Sir

Will you be kind enough to state in writing the objection, if any, to the establishment, by me, of a Stock Exchange in Yokei

Very Truly

Your obdt Servt

L. O Shepard

Sugimura Shozaji U.S. Consul

Yokei

Enclosure

Ms Legation Japan

With Despatch No 184.

Letter of C. Shepard to Japanese Governor asking for his reasons to be stated in writing as to why he has interfered with the Interests of Mr Van Reed

No 4.

Dated May 23rd. 1870

Copy - Translation

Yokoi 25th May 18?0.

Dear Sir.

I have had the honor to inform you that Mr Van Reed with the enclosed Japanese named Yasgero and 4 others as his agents, and I have of course no objection for it, if it is for general transaction of business according to the stipulation of the Treaty. I have however found out in the article of statement from the said Yasugero & 4 others that they purpose to transact the business of Stock exchange, which is prohibited by the law of our country, and I am consequently not allowed to do such business.

To

Sir

Your obed. Svt

H. J. Count

In conclusion I beg leave to request

you will good enough to explain the

above mentioned to Mr Van Reed

Sugimura Shosanji

Yokuso

U.S. Regulation Japan

Bills adopted No 184

Article 4th Governor to cancel

Orders & Regulations with the

consent of Br. Min. Res. and

the accepted

No 57

Dated May 25th 1870

Copy

No 14 Consulate of the United States

Yedo Japan Augt 1st 1870.

Sir

My attention has today been
called by Sugunia Shovanji, to a letter
dated May 25th 1870, relating to the
business carried on in this city by Mr
Van Reed or his agents. In that
question is involved, I have the honor
to forward herewith a copy of said
letter for your consideration and in-
struction, awaiting the same,

I have the honor Sir to be

Your Respectfully,

Your Obt. Servt

To C. C. Shepard

Hon. C. E. De Long Consul

U. S. Minister

to Japan.

U. S. Legation Japan

With Despatch No 184

Letter of Consul Shipman to C. E. De Long asking for instructions about what to do relative to the Vara Red matter

No 6

Dated August 1st 1871

Copy.

U.S. Legation Yedo

August 1st 1867.

Sir

I beg reference to our despatch No 19 of this date I suggest to you that you make inquiries of the Sanguira Shogunate as to what law of Japan is violated by the conduct of that Prince by which Yedo authorities employ Japanese to aid him.

Please obtain from him as full an explanation as possible and I will then consider the matter with the municipal Foreign Officers

I have the honor to be Sir

Very Respectfully

Your Obt Servt

Enclosed Copy U.S. Consul

U.S. Consul Yedo-Japan

U.S. Minister Resident

Enclosure

No 1 Legation Japan

With Despatch No 184.

Letter of G & De Long Lt
Comm'd Shepard directing him
to ask the Governor what law
of Japan his conduct of Mr
Van Reed's business violated

No 7.

Dated August 1st 1870

6, 10

No. 5 Consulate of the United States

Yedo Dec 3d 1870.

Sir

At your request I forwarded to the U.S Minister a copy of your letter of objection to the establishment of a "Stock Exchange" by Mr Van Reed and have received in reply a letter of which the enclosed is a copy.

Hoping soon for the information asked

I remain

Your very Respectfully

G. C. Shepard

To U. S. Consul

Shanghai Shanghai

Yokei

U S Legation Japan

With dispatch No 184

Letter of Consul Shepard to Governor of Yedo forwarding my enquiry to him.

No 8.

Dated August 3rd 1870

Copy – Translation

Tokei 2th august 1870.

Sir

I have the honor to received your favor of the 3rd August. I recently informed you for the establishment of a Stock Exchange by Mr Van Reed, and you have reported the matter to the U.S. Minister, who in his reply to you, requested a full explanation which I agree to give. As I informed you before, Japanese merchants in numbers assemble in the house which Mr Van Reed has rented near the foreign concessions in Tokei and transact business. In my opinion as there is in reality no rice there and as they only fix the price and bid against one another, this is altogether

To the

E. A Shepard Esq.

U.S. Consul

the same as gambling, this has been forbidden from the first with us, and we wish to put a stop to it, but do not wish to hinder Mr Van Reed's business.

We wish to examine our merchants deceitfully borrow our Van Reed name to violate our law. I hope you will understand above mentioned,

Yours respect & Consideration

Sugenisa Soki Shosanfoojee

Enclosure No 9

Yokohama Japan

Mitt. Oberbaird No 1864

Letter of Gunnosuke Kimura stating that in order to carry out his intention to establish Van Reed's business in the ensuing 12th year.

No 9.

Dated August 8th 1870

Copy

Yedo Aug 3rd 1870.

Sir

Mr R. H. Van Reed having appointed me his agent to carry on his business at this place during his absence, I would therefore wish to call your attention to the manner in which the Japanese authorities are preventing me from doing business.

On the 7th inst. the officials at the Bakansho sent for my employer and demanded the books of the concern & an account of all the business done and the amount of profits from day to day.

They have threatened to imprison any Chief man if he still persisted in conducting business for me, and have peremptorily ordered him to stop all transactions in that line.

I therefore appeal to you as the Council of the United States to protect me in carrying on a lawful business.

There is nothing illegal in any thing pertaining to the sales that have been transacted, the doors are open to all who may wish to enter, and the same kind of business is done everywhere throughout the cities of America. Permission was granted to Van Reed to lease the ground and erect buildings thereon, which has cost some thousands of dollars, and the expenses of carrying on the business, loss of time and profits will amount to quite a thousand dollars per day, which I am prevented from further carrying

~~on my own~~ I shall be compelled

to bring a bill of damages against

the Japanese authorities

Hoping you will give my

statement due consideration.

I remain

Your obedient servant

To The Hon. H. K. Langhorne

Chas. C. Shepard

United States Consul

Yedo, Japan.

U S Legation Japan

With dispatch No 184

Letter of Mr Laughorne
Agt of Mr Van Reed to Consul
Shipard enclosing the
complaint about the
interference of the Authorities
with his business

No 16

Dated August 13th. 1870

Copy

Dep. U.S. Consulate

Yedo Japan Dec 16 1870

Sir

Herewith I hand you (Enclosure No)
the reply from the Daimio to your
inquiry as to what law of Japan
was being violated by the Am. Red
Stock exchange. You will observe
that no answer is given to the
question asked, and did the mail
not then close, I should not
trouble you with it, until proper
and direct answer was given, but
the Daimio, acting as the Am.
Red's agent, complains that they
are

Hon. C. E. De Long

U.S. Minister

to Japan

are committing overt acts, such as demanding his books, profits, warning his Japanese to stop all business, and arresting those who go there, as will be seen by his letter (no 2)

Yesterday had an interview with Segura upon the matter, and after a great deal of talk, he admitted all that Mr Langhorne charges - admitted that the "Shoshi (Govt Trading Co) did the same business - admitted that a little business is carried on by an Englishman, with which they have not interfered but which they intended immediately to stop.

Our own Feeds business is entirely at a stand still, no one daring to go there. In our opinion it is only done

to

in the intent of the "Treaty" and in my opinion, trying as they will to monopolize all branches of trade, there will be constant trouble until they are entirely broken up, root, trunk & branch. That it is entirely against the Treaty I need not suggest.

I think Mr Langdon's complaint is well founded, and merits attention.

Very Respectfully

Your Obt Servt

W. A Shepard

Agent

Enclosure

No Legation Japan

With Dispatch No 184

C O Shepard to C E De Long

Forwarding reply of Governor

and Complaint of Mr

Laughton with a statement

of his views

No 11

Dated August 16th 1870

Copy.

I, John D. Kiley, an American Citizen do hereby declare that I have this day visited the trading companies of Messrs Hart & Hare and that at each place above mentioned there was the business of buying and selling rice, without sample, and without the presence or possession of the article being bought and sold, going on and I do further state that the said business, & the method of transacting it, is identical with the business lately carried on by one Van Reed at his Kaiche in the city of Yedo.

(signed) John D. Kiley

Sworn to before me this

30th day of Sept. 1870.

(signed) G. C. Shepard

Seal

U. S. Consul

U.S. Legation Japan

With Despatch No 184.

Affidavit of J.D. Riley.

No 12.

Dated Sept 30th 1870

Copy.

Yedo 30th Sept 1870.

Sir

At the request of the U.S. Consulate the undersigned herewith takes the pleasure to hand you the following truthfull declaration, viz.

1st That during his sojourn at Yedo, since middle of August last, he was present at different times at the Public Auctions held by Messrs Stoedtock Hyde, Collins & Mare, or their respective companies —

2d Also beg. to state, that by the information of aforesaid Gentlemen as through examination of several Jap: merchants present he knows, that the produce sold was Rice & Oil & besides some general merchandise

I am Sir

Respectfully Yours

(Sgnd) Fred. Oscar Arnold

Inclosure

No Legation Japan

With Despatch No 184.

Statement of Mr
T. O Arnold

No 13.

Dated Sept 30 th 1870

Copy - Translation

Yokei 20th Oct 1870.

Sir

You have written to me, as it was that all persons connected with the Kaisha of Ivi Dan Hud are summoned to appear on the Yokei for at the 17th Oct, and you would like to know for what purpose and upon what matter. -

In the first place, it was, that we have cast them for trade but, is there no mistake by the manner of, to read anything to them for writing the conduction to the trade of the case at the Kaisha.

With respect & consideration

Sugiura Shoryi

To

G. C. Shepard Esqr Yokei Jo.

U.S. Consul

Yokei in Japan.

Legation Japan

With Despatch No 184.

Governor of Yedo & Consul
Shipard stating the reasons
why the Employees of Mr
Van Reed have been summoned
for examination and the
Books of the concern called
for

No 14

Dated Oct 20th 1870

Copy

Yedo 9 January 1871.

To the Sabansho Authorities

Van Reed having returned from America by last mail, and not being vindictive against the Jap. Government for their willful interference with his Treaty rights, but preferring an amicable arrangement proposes, that Government nobly give 105 Brokers and 5 Dewagata, who have been doing business at Van Reed's Kaisho at Yokei, that they be permitted to trade there without further interference.

This arrangement to be effected within seven days, otherwise he will be forced to claim damages for his monies in which his business

Delegation Japan

With Despatch No 184.

Letter of Mr Van Reed to Governor of Yedo offering to waive his claim for damages if his Countries should thus be permitted to proceed

No 15

Dated January 9th 1871

Copy Translation

Yokohama 16th Jan 1871.

To Van Reed Esq.

Sir

In reply to your favor dated 9th January that you wish to get a licence for the 105 Brokers and 5 Dewagata to do business at your Kaiko without any interference from Japanese Government

In this case we have been ordered to the merchants previously that they must not do as if there Exchange and in such case prohibition of Law Japan

We therefore cannot be answerable for licence upon such case

With Respect Yours

(Signed) Custom House

Yokohama

Ms Legation Japan

With dispatch No 182

Letter of Japanese Officials
to Mr Van Reed inquiring
to comply with his request

No 16

Dated Jany 16th 1871

Copy

Yokohama January 17. 1871

Sir

I have the honor to hand you the following claims against the Japanese Government together with Vouchers, and beg your immediate attention thereto.

Relying upon my Treaty rights, I established at Yokohama with full cognisance of the Japanese Government a Bank of Exchange, for the purpose of trading in Foreign Produce on a scale similar to a Government department known as the Bureau.

This Exchange was established on 2 June 1870. and was in full operation at my departure for England on the 27 June.

During the jealousy of the Bureau, and undue weight with the Officials, a

determined our slaught-er was made on my re-
-tirement to break it up and notwithstand-
-ing the protests of my agent Mr Longhorne
against the Treaty rights assured me, explicitly
forbidding interference of Government officials
between American citizens and Japanese
subjects in their business transactions, the
Government commanded the "Ho Hotaru-sho"
belonged to "San Reid Maisho" to remain in
Hamamatsu my business there under pain
of immediate imprisonment, and owing
to the extreme rigor of Japanese law no
one has dared to approach the place,
being in fear of their lives and property
in case they should be discovered.

Mr Longhorne immediately made
his complaint to your Hon^r, demanding
damages to the extent of $1000 per day

until Government should receive its dues and allow its people to trade with them Feudas formerly.

His Excellency the American Minister has used his best endeavors in your representations of the facts, to bring the Government to a sense of justice, as I learn, without avail.

As I have lived amongst the Japanese since the opening of the country to foreign trade and have had no Government dispute, I desired, immediately on my arrival to Japan to fairly and in a friendly manner try to bring the Government to a proper understanding and allow me to peacefully continue my business without further interruption or annoyance. I therefore wrote the

Viz

"To the Sanbandokoro authorities

"Van Reed having returned from America

"by last mail and not being indictive against

"the Japanese Government for their willful inter-

"ference with his Treaty rights but preferring

"an amicable arrangement, proposes, that Govt

"notify the 105 Brothers and E Sawagata, who

"have been doing business at Van Reeds Kaisho

"at Yokei that they be permitted to trade there

"without further interference.

"This arrangement to be effected within

"seven days, otherwise he will be forced to

"claim damages for the five months time

"which his business has been stopped, and

"his account and character suffered through

"such interference."

On the 16th inst, the following Translation

was received

Yokei 16 January 1871

"To Van Reed Esq.

"Sir,

"In reply to your favor dated 9 Jan: that

"you wish to get license for the 10 Tivoli and

"5 Bungalas to do business at your Kanko without

"any interference from Japanese Government

"In this case we have been ordered to

the merchants previously that they must not

do as if Stock Exchange and in such case

"prohibition of Law Japan. We therefore can

"not be notify for license upon such case."

With such abundant proof of flagrant

bad faith and wilfull persistance in to-

tally ignoring Treaty stipulations, I will

merely add the proof, by following documents

which shew that the interference by Japanese

Government, is concentrated on myself alone.

as the following nationalities are now

employed

employed in the same business only without
the least hindrance, and are each most
profitably engaged.

1 Swiss Consul General Kaiko at Yokei

2 Our Herran Prussian Consul at Yokei

3 Our Dept agent for Dutch consul at Yokei

4 Our Sallee Frenchman Yokei

5 Our Hare English, Yokei

6 Gouernment Yamen Our visitor Shooka Yokei

7 Prince of Owari at Nagoya Owari Territory, Jap:

8 & 9 Shooka Kaisho of Osaka, Jap:

10 Owari Kaisho of Osaka. Jap:

Besides an establishment lately in operation
at Osaka by a Prussian with full sanction
of Japanese Government.

Purchases of Rice due by Yan Kuds Kaisho
July 27. 1870 were 10718 bags = 910 3/3 Pcls delivered
from Godowns, and again at another time
9000

goose feels - about 12, 000 feels within the 42 days

in operation

In view of the foregoing, I am

reluctantly compelled to demand from

the Japanese Government enough to

satisfy in a manner for direct loss sustained

in my business, and loss of reputation

amongst a people with whom I have been

so many years honorably connected

The profits accruing for 48 business

days, from 12 June to date of closing 5th

August, were Rios 4749 1/4 = ฿4749.25

or a daily average ฿98.75

As my business was daily becoming

greater and expenditure assured, I consider

I have a right to claim not only the

above average rate of ฿98.75 but an amount

which it was apparent I would have made

had

had I not been interfered with thereby
I claimed the sum of $125 per day
counting from date of Government debar-
ring the right of Japanese to trade with me
from August 1st to date exclusive of holidays being
142 days - $17,750, & in event of continued refusal
to allow me to trade with Japanese a further demand
of One hundred and fifty dollars per day is
hereby claimed, until my rights under treaty
are assured me

Relying upon the American Govt to uphold me
in my just claims, I am

Your Obedient Servt

E. W. Van Reed

E. C. Shepard Esqr
U.S. Consul
Yokohama

Copy

No 4 U.S. Consulate

Tokei Jan 20th 1871.

Sugiura Tokei Shosanfuji

Sir

Herewith I hand you a claim against the Japanese Government made by E. M. Van Reed Esq. a citizen of the United States in his business in violation of the Treaty existing between Japan & the United States.

Previous in July I had the honor to advise you, that unless the illegal steps taken by you to interfere with Mr Van Reeds business, were retracted a claim of this nature would certainly follow. I respectfully ask your early attention to this matter.

Your Obedient servant

G. O Shepard

U.S. Consul.

Inclosure

U. S. Legation Japan

With Despatch No 184.

Letter of C. O. Shepard to Japanese Authorities presenting the claim for damages sustained by Mr Van Reed

No 18.

Dated Jany 20th 1871

Copy - Translation

Tokei 28th January 1871.

To C. A. Shepard Esq.

U.S. Consul

Sir

We have the honor to acknowledge the receipt of your letter of 20th January enclosing an statement of one Van Reed an American citizen with regard to the stoppage of his business in Yokei called the Shoshin Kaisho (or Stock exchange).

I had already informed you more than once, that we have not stopped his business, but merely gave an order that the Japanese Merchants could not be allowed to transact that kind of business, as it is merely gambling, and as such it is prohibited in Japan.

For Van Reed states that several

for we are doing the same business without the interference of the Government, and that it is only against himself. We beg to state that we do not interfere with any foreign business but merely with the Japanese as we cannot allow them to do what is contrary to the law of Japan.

I have already explained to you the nature of the Stock Exchange as it is, not as a gambling establishment

With respect & Consideration

Aoyama Tokei Daisanji

Sugiura Tokei Shosanji

Relative to Japan
Regulation Japan

Declaration No 1864.

Japanese Authorities
Japan Apply to
commencing
Rules Claim.

No 20.

Jan 28 1864

Yokei 4 Feb 28th mark

3rd year Meiji

(30 August 1870)

We have the honor to state

your Excellency, that the case of the

two Yezo your citizen mentioned

by your excellency at the last con-

ference on the 24th of last month

having been fully inquired, we

discovered that the Stock Exchange

which is the gamble by betting among

the natives, differs from the usual

commercial operation, as we told

you at the last interview, and

several of the natives taken kept

from time to time for this operation;

His Excellency in

C. E. De Long

Ministr Resident

in consequence of this, the Stock Exchange is strictly prohibited in Japan from the olden time and we have adopted the native or due enquiry made, from carrying this business, who violate the Japanese law, of which we will explain you further particulars on occasion of next conference

In reference to the charter of American vessel by Mr Jyen Hara, we will inform you, after Mr Jyen Han has been fully inquired by us.

With Respect & Consideration

Yours &c &c

Tarajima &c &c

N. B.

We are exceedingly sorry that we did not see you to day, when you called to the foreign Office at the appointed hour, before the reach of our messenger expressly sent to tell you that our interview at 1 O'clock this day will be delayed about half an hour or more.

Legation Japan

With Despatch No 184

Letter of Japanese Minister to C. E. De Long stating that
views in reply to his verbal
protests about their
Governmental interference
with Mr Van Reed's
business

No 24,

August 30 th. 1870

No 88 London

Yedo September 2. 1868

To Their Excellencies

The Ministers for Foreign Affairs.

&c &c &c

I am in receipt of your letter dated

Yokei the 4th of the 8th month of the 3rd year Meidi

in which you inform me that having inquired

into the business transactions carried on by Mr Van-

Reed at Yedo, you find that the same was a

stock exchange business which by ancient

custom of Japan is prohibited as combining

it having caused the bankruptcy of some of

your people - That therefore you decline to grant

my request to allow the business to proceed by

revoking the order heretofore made by you pro-

hibiting the Japanese people from resorting

to the place of business of Mr Van Reed to

engage.

capage in That business — To recapitulate —
allow me to state — On the 13th of August last
Mr. A. R. Laughorne an Agent for Mr. Vanlied
an American Citizen filed a complaint in
writing with the U.S. Consul at Yedo Mr. C.C
Shepard, in which he represented that Mr
Vanlied his principal by authority of the
Japanese Government leased for business pur-
poses a lot of ground on the Foreign Conces-
sion in Yedo and commenced business there-
at — That on the 4th of August the Japanese
Officials at Yedo sent for the employees of the
~~concern~~ and demanded the books of the
concern and an account of all the business
done and the amount of daily profits —
— That they further threatened to imprison
the head business man if he still per-
sisted in aiding in the conduct of the
business

business of that house since then the business

of Mr Van Reed was stopped to the great

loss and damage of those concerned —

This matter was at once called to the atten-

tion of the Governor of Yedo by the Consul,

who in reply to the Consul Stated "that

he had learned that Mr Van Reed in-

tended to carry on "the business of a Stock

"Exchange which is prohibited by the

"laws of our country and I have consequ-

"ently not allowed to do such business"

Upon the receipt of this answer from

the Governor Mr Shepard the Consul at

once communicated the matter to me, and

an answer I requested him to enquire of

the Governor what Law of Japan was being

violated by the carrying on of the busi-

ness, to which the Governor in a letter

to the

to the Consul replied evasively stating as

follows: "I recently informed you for the

" establishment of a Stock exchange by

" Van Fleet - and you have expedited

" the matter to the U.S. Minister who in reply

" to your request a full explanation, which

" I agree to give. " So I informed you

" before Japanese merchants in general

" assemble in the house which Mr Van Fleet

" had rented near the foreign Concession in

" Tokio and transact business. Gin says,

" Gunsen as there is no reality in rice Those

" who sell for the future and bid

" against one another that is all together

" the same as gambling. Mitsui has been

" forbidden from the first with no one else

" will to put a stop to it, but do not wish

" to hinder Mr Van Fleet's business." We wish

to

"to examine our merchant, who deceit[fully]

"borrow Gov't Can Reed assume to violate our

"Laws — I hope you will understand your

"sentence" It will be observed that in

this reply no answer at all is made to the

only question asked, which was What laws

Japan had been violated — and I will

here state that in all of our conferences on

this subject you have failed to point out

or mention any law of Your Country that

they violate although I have asked the

same question of you repeatedly. The

Consul in submitting this correspondence

of the Governor with him to me in a dis-

patch dated Aug.st 16th informs me, that

in addition thereto he had had a confer-

ence with the Governor in which the

Governor stated to him that the Shoshu

Government

(Government Trading Company) did the same business, admitted that a like business is carried on by an Englishman which shows they had not interfere but what they intended to stop and upon the receipt of their proofs I proceeded to Yeddo and held a Conference with Your Excellencies upon this subject on which I submitted all of these matters and you frankly admitted to me that the Government had thus interfered, justifying your action upon the ground that the business was contrary to some Your customs of the Empire and declaring your intention to continue this interference until you more fully enquired into the business but at the same time stating that you had also stopped the business of a like nature carried on by an English subject

subject and received a complaint of the British Minister for having to done.

All of the other matters contained in the complaint of Mr Longthorne and the letters of the Governor of Yedo and those of the Colonel Shepard some you made no denial of at the interview — I urged upon you the consideration of the Treaty provision guaranteeing to Citizens of our country the right to freely carry on business with the Japanese people at all of the Treaty ports in Japan without official interference and protested against this action finally concluding our interview by requesting you to allow the business to proceed pending the investigation you proposed to make. This you also refused and I again protested

protection. On the 29 day of August
last I was married at Yokohama
by Rev Ishihashi your official interpre-
who informed me that he was specially
deputed by you to discuss the complaint.
I discussed it with him at length —
after seeking to learn from him what
particular law or custom was being vio-
lated by the conduct of the business
I then advised him that as much
as Japan had no written Constitution
or laws, as no custom or law in writing
or other proof of any had been shown
me, of which the conduct of such business
was violative — That as the mention of
this was made when our treaties were
made and as the condition therefore are,
that business may be freely conducted

I *

~~I~~ I must construe that Section to mean

Such business as by law was allowed in

my own and other Christian Countries for

as this was a business of such a nature

and as I was satisfied that your own

people were being allowed free to

carry on a similar business in aid of

a Japanese Government Trading Compa-

ny, That I must and did insist upon

a cessation of the Government interfer-

ence as being willfully violative of the

provision of the Treaties existing betwee-

the Empire of the
the Japanese Government that I repre-

sent - I again called upon you with

your interpreter, but found you were

absent when I left the matter to be

represented by him and your answer

of the 14th of the 8th month as the reply

I have now to state to you that I have additional proofs in my possession that the same business is here being conducted by Japanese merchants in the service of the Japanese Govt Trading company — and I have every reason to believing that their interference is solely made for the purpose of aiding the company in its business by their prohibiting such competition as foreigners might make, and that it is merely pretentious that it violates any law or custom of your country — I renew my demand for the cessation of this interference with the business of the Van Reed and warn you that if not complied with at once, that I shall submit all of the facts with

our

correspondence from home Government

with a statement that, we may think

it is a wilfull and intentional violation

of the treaty existing between our

Government and asking instructions

in regard to what course in relation

to the matter I shall pursue.

At the same time I beg to state

to you that Mr Longthorne in his

complaint made to the Colonel Shepard

charges that the expenses of carrying

on Mr Van Reed's business, loss of time

and profits amount to the sum of

one thousand dollars per day.

With respect & consideration

I have the honor to be

Your obedient Servant

C. E. De Long

U. S. Minister

U.S. Legation Japan

With Despatch No 184

Letter of C. E. De Long to the Minister for Foreign Affairs stating his views and intentions in regard to those continued interference with the Interests of Mr Van Reed

No 25

Dated Sept 2nd 1870

Tokei 27 Despatch

3rd year Meiji

(22nd Nov. 1870)

Acknowledging the receipt of your despatch dated the 2nd inst. with reference to Stock Exchange business carried on by an American merchant Mr Van Reed, we have the honor to reply that the Stock Exchange business by law of Japan is prohibited, as it resembles to gambling and the vagabonds adventure to gain their own profits by this operation, which caused the bankruptcies of several of our people and at

His Excellency Smith

C. E. De Long

U. S. Minister Resident

Empire will connect to the cause
of the Empire as already express-
ed in our former letter. It appears
from your letter, that you do not
yet comprehend such violation
of the law by carrying on of this
business, it however being very
clear, that the people who vio-
late such prohibition adopted
by the Government to prevent
any future injury or harm, are
offenders, for the people naturally
must obey to the order of their
Government we have put a stop
to this business after proper in-
quiry; further we beg to say that
the Government will never en-
courage such business of
transaction

transaction carried between your citizen and other foreigners, but our people are not allowed to meddle with this business, and we suppose that your protest is against this action interference to our interior Constitution

With respect & Consideration

Sawa jisamma

Serafina Pradhi

Enclosure

No Legation in Japan

With Despatch No 184.

Letter of Japanese Ministers
to Col Long in reply
about the Van Reed matter

No 26,

Dated Nov 22nd 1870

Copy

28 January 1871.

My dear Mr De Long.

I beg to enclose reply of Govt to my demands for recompense in interfering with my Treaty rights, & not allowing Japanese to trade with me.

To my vouchers that Foreigners & Japanese are at this moment transacting similar business to what mine was, — without the least interference from the Japs. Govt. They do not deny, merely contenting themselves with reiterating their order forbidding business with an American Citizen.

They do not deny my assertion that over 18,000 piculs Rice were actually delivered from godowns to purchasers.

Yours

Even should the Japanese Government
pretend to close other establishments
to day by forbidding merchants from
doing business there as they have done
with Van Reed, they will have to pay
because the order was not a general one
but pointed at but one nationality

I continue in my demands for
recompense, and rely upon my right
as an American citizen, who is being
persecuted by Govt. to the delight of
other nationalities in the same trade
and who reap the advantage of my
discomfiture.

I know that while relying upon
you as my minister, justice will be
awarded

With kindest regard

Sincerely yours

(Signed) Van Reed

30th Jan 1871.

My Dear Mr de Fay.

Mr Rice is at Yokei, will write him to appeal to you, meanwhile I have made a copy of my letter to Col. Shepard which Govt replied to on 28th

They do not deny my assertion in any way, neither that other nationalities are even now transacting same business daily, without interference neither that 18000 pcls Rice were actually delivered purchasers

The manner of actions at Stock Exchange are similar to an Auction where one bids against other - all buying

As there are Holidays coming & a settlement in some way is desired

Kindly

kindly use your discretion in acting

prior to Colonel's return - and oblige

Very respectfully yours

Van Reed

1st Feb 1871

My dear Mr Le Long.

Mr Rice has enclosed me a letter for you containing copies in Consulate relating to the Harbour Dues

As Col Shepard was handed Exp: printed documents, numbered from establishments belonging to Foreigners and Japanese, now in operation, and which cannot be found by Mr Rice probably he has forwarded such proof to the Govt already. I enclose one of mine, which is similar to mine the Govt's Bonders Kaisha at Yokei

A new establishment under French has been started at No 133 Yokohama and in daily operation

Very respectfully yours

Jan Yeo

11 Feb 1871

My dear Sir De Long.

In examining my Books of business done at the Kaisha at Yedo, I find two Books, giving exact information as to the delivery of Rice, & receipts of the parties who received same from Godowns at Yokohama. Even the Coolie hire and weighing Master's Bills and receipts are enclosed. going to prove the Kaisha was in actual business and should not have been interfered with either by enemies or friends of mine.

I am daily waiting — as are the merchants of Yokei waiting for a decision to be arrived at where the rights of a Foreigner shall be upheld

upheld, and Japan be allowed to deal as provided by Treaty.

Up to this hour the several foreigners under various nationalities are trading at Yokohoma without being in the least molested while I, an American, am being defamed and my business broken up, by continued personal ill-will of the present parties in power. It was not I. who commenced the Civil strife, by not allowing the 105 merchants to trade as I requested them to do, within 7 days, forced me into the position I now am in, & now being in it, will fight it out to the bitter end!

Capt Bachelor says 2 Frenchmen are in peaceable operation at Osaka

Within

Within the past week I have been warned by my friends not to go to Cuba often than possible, and then to go armed & not be out at night— all this leads me to feel there is understood at work and altho not the first time I have been warned in this country, yet it may be, that yet an attempt may be made to get rid of me by some means, and so settle my troubles— We shall see— but they can't frighten me,

Excuse the servant— I merely write privately and enclosing 2 Books the Kaaba for your information, remain

Sincerely Yours

Van Reed.

Yokohama Dec 6. 1871.

My dear Mr De Long.

Pardon me for sending the documents without Translation - They merely refer to Stock Exchange reports at Tokei under Foreign Control and prove that such business was active on 4th inst

As to Hawaiian Treaty, I thank you for your prompt endeavors to have that settled.

Strange is it not! That the present officers in power should fear me so much as to request my deportation! surely no foreigner has upheld these people more at home & abroad than myself, and to be so vindictive in return, is beyond my belief in human nature

Regretfully

Memorandum

U.S. Legation. Japan

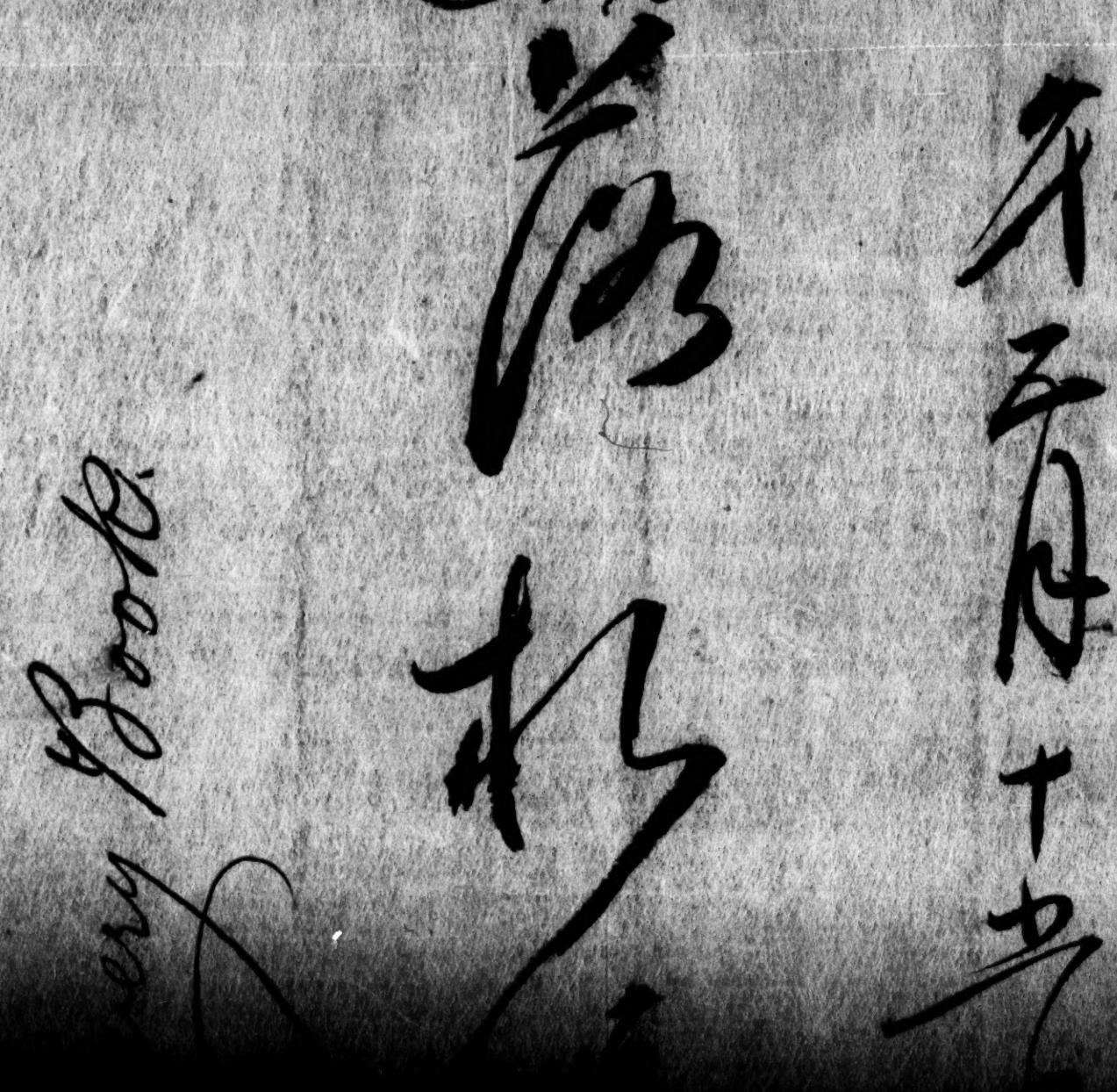
With Despatch No. 184.

Private notes of Dr. Van Reed to Chief Long in regard to the interpretations to his treaties made by the Japanese Authorities

No. 27.

Francis Davis

Van Reed's Kome Kaisho
Gakei



午前十時 Forenoon 完

同西壹 Annam Rice

一安南米

同日 the same day

同西一 Rice

一安南米

同 ditto ditto

右同前米 Rice

一安南米

50 Bales

百五拾俵

50 Bales

百五拾俵

460 Bales

四百六拾俵

5th mo - 16th day

From this Godown

280 Bales

Seijo

Hockey

gro Bales

Kojiro

ditto

Two Bales

Wrangen.

21 day

450 Bales

Seesada

21 day

350 Bales

Seesada

7th month 3rd day

from
This Mark Godown

1000 Bales

Kikuchi
bought

Rice = 1264 Bales delivered =

from opening day 5th month 15 day to 7th month 3rd day

Jeleasm.

U S Legation Japan

Fifth Despatch No 182

Account Book of
Mr Jno. Reed's Hasajes
acct of Rei dilemma.

No. 19.

Without Date

61

御金請取

Rice delivery book.

Rice weighed and received
from the Castle-master, who delivered this Rice
御年貢米請取帳
御城守より請取申米

Jap 5 mo 16 day

Amani Rice 982 Bales

Cost for Coolies 27.49 mome

Jap 5 mo 19 day

530 Bales

Cost 148.40 mome

16th day

532 Bales

154 momes

All together Bales 2064 for Coolies cost 577.92 mome

850 Bales to Ille Bada, 7th mo. 29th day

460 Bales to Ise Bada

Rice 2070 Bales to Maeiji

4 ro to same

Being rice 27 - 11.25 more

Recd above signed Tanakaya Seiroku

1155 Bales to same

1 [illegible]

3-50 do

1 [illegible]

500 do

1 [illegible]

600 do

1 [illegible]

350 do

1 [illegible]

850 do 330 do to Daibone

1 [illegible]

1892 Bales to Jotchen

1 [illegible]

all together = 13167 Bales Rice

costing for cowries 105-330 Maria Theresa silver

[illegible]

800 Bales

1 [illegible]

950 do

1 [illegible]

750 do

1 [illegible]

600 do 510 do

1 [illegible]

350 do 850 do

1 [illegible]

250 do to Daibone

1 [illegible]

廿日十五日
一南京米九百八十石 Rice 982 Bales from Nanking
一米百八十石 Rice 180 Bales from Nanking
一三百石 300 Bales from Nyel
all together 3480 Bales
十七日
一南京米一千六百石 Rice 1600 Bales to Nanking
一南京米一千石 Rice 1000 Bales to Nanking
一米五百石 500 Bales to same
一米二百石 200 Bales to same
一米三百石 300 Bales to same
一米三百石 300 Bales to same

Received from [illegible] the sum of [illegible] dollars
as payment
for [illegible] cattle, of which [illegible] dollars
have been paid, leaving a balance
of 66,5000 cattle
to be delivered hereafter.

Received
Anaaya Sangeeta

[illegible] dollars
[illegible] cattle

[illegible] dollars
[illegible] cattle

[illegible] dollars
[illegible] cattle

550 Bales

1 2

900 Bales

1 2

300 Bales

1

351 Bales

1 2

600 Bales

1 2

500 Bales

1 2

350 Bales

1 2

850 Bales

1

321 Bales, H Dantone

1

251 Bales

1 2

1582 Bales Jochee

1

1315-8 Bales

1

Coolies costing for 1315-8 Bales = 24 Rios 4. 11 4/8 Annas

Deliveries

June date 74 5-50 to Annual

" " 80500 cattis to Sugarloaf

" " 87500 cattis to Yamaiya

Rice 9/5500 cattis delivered to above persons

9135- Pcls Rice

Old Signature Book

Folk Lawhern 1825

Account Book of
Rankin

No 21

N

20

大坂水油建銘

三月限　出来不申

四月限　大引百〇九両　一〇五分の一

五月限　大引百〇五両一分　一〇二分の一

三月廿九日　東京商社會所

同

三月限　大引百拾四両

四月限　大引百六両三分

五月限　大引百三両

三月廿八日　東京商社會所

同

三月限　大引百拾四両

四月限　大引百六両三分

十二月十五日 東京築地佛蘭西カルリー外国産物會所

日相場

十二月廿日約定 Arrowroot Rice Arrowroot Rice Brice

正月晦日約定 大引二斗八合 Breakfast Rice 50 ㎏ 90

二月晦日約定 大引二斗一舛 3-1-0

十二月十五日 東京築地立花二番横濱瑞西九拾番出店 Swiss Rose 5 Ko. 99.

同 Kuko

正月晦日約定 大引二斗九合 Breakfast Rice 45 ㎏ 80

二月晦日 大引二斗一舛一合 2-0-0

十二月十五日 東京築地佛蘭西生産會所 Chinese Rice

同 2-1-1

正月晦日約定 大引二斗八合 〃

〃 〃

〃 〃

正月限　大引百三両　Contract Price 103 Ryo
三月六日　東京商社會所　Tokio Shoshakwai
2852 koku. Market Price
約定安南米建　Contracted Annam Rice
六月廿九日約定　Contracted on the 29th day 6th month
大引一斗七舛八合　to be delivered 1.7.8
七月晦日約定　大引一斗八舛三合　Contracted on 30th day 7th mon: 1.8.3
八月廿九日約定　大引一斗八舛六合　Contracted on 29th day 8th mon: 1.8.6
六月廿二日　東京築地　空ニリー　Contracted on 22nd day 6th mon: Tokio Tsukiji
外国産物會所　Foreign Produce Exchange

同　Ditto

正月勝日約定　大引二斗二合　Contracted on 30th day 1st mon: 2.0.2
二月晦日約定　大引二斗一舛　Contracted on 30th day 2nd mon: 2.1.0
三月廿九日約定　大引二斗一舛三合　Contracted on 29th day 3rd mon: 2.1.3

四月六日 東京高社會所

尾州御藏米

四月限 大引一斗二舛二合 ダーreal 1.22

五月限 大引一斗二舛八合 〃 1.28

六月限 大引一斗三舛八合 〃 1.38

四月七日

約定安南米建

七月晦日約定 大引一斗八舛四合 ダーreal 1.54

八月廿九日約定 大引一斗九舛一合 〃 1.61

九月晦日約定 大引二斗一合 〃 2.11

七月九日 東京築地立ツリート外国産物會所

御蔵武州米

二月晦日約定　大引二寸一分
三月晦日約定　大引二寸一分、三合
十二月十晋　東京築地へイクト外国産物會所

約定船来水油相場

十二月廿日約定　大引九十二両
正月晦日約定　大引九十二両三分
二月晦日約定　大引九十一両二分
十二月十晋　東京築地五番横須賀西出店

大坂水油建銘

四月限　大引百拾六両
五月限　大引百拾一両
六月限　大引百拾四両

約定安南米　Annam Rice.

十二月十五日約定　大引二弗八合
弗-cent - 2.08
正月晦日約定　大引二弗九合
" " 2.09
二月晦日約定大引二弗一弁
" " 2.01
十月廿六日　東京築地并遠民券面生産商會所　Chemin
Marché

約定舶来水油相場　Oil. Imported Market Price of

十二月廿日約定　大引九十二両三分　ドル-cent 93.75
二月晦日約定　大引九十一両一分　" " 91.25
二月晦日約定　大引九十両一分　" " 90.25
十一月廿六日　東京築地五番横濱瑞西九拾番出店　Swiss
約定安南米建　Annam Rice
十二月晦日約定　大引二弗二合　ドル: cent 2.02

十一月限　大引一斗一舛
十一月三日　東京商社會所
約定安南米建　Annam rice
十一月晦日約定　〃　〃
十二月廿日約定　〃　〃
正月晦日約定　大引　〃
約定安南米　Annam rice
十一月十日　東京第一外国産物會所
十一月晦日約定　大引二斗三合
十二月十日約定　大引二斗一舛一合
正月晦日約定　大引二斗一舛一合
十一月廿日　東京第一外国産物會所

十月噸約定　大引七枚三両三分　ジャーヌル・デ・モード
三月當　東京築地ヘクト外国産物會所　Light Kaiko
約定西南米迄
十月噸約定　大引二斗三俵一斤　ジャーヌル・デ・モード　2.37
三月當　出来名甲　Light Kaiko
十月噸約定　大引二斗二俵　〃　〃　2.32
三月當　東京築地ヘクト外国産物所　Light Kaiko.
約定西南米
十月噸約定　大引二斗七俵　ジャーヌル・デ・モード　2.27
三月當　〃　〃　2.28
約定船来水油相場　Marseille Nord

十月廿日約定大引二斗六合
廿月晦日約定大引二斗若
二月晦日約定大引二斗七合
十月廿六日 東京築地外国産物會所 Daily Rate
約定安南米 Annam Rice
三月廿九日約定
四月晦日約定大引二斗二舛七合
廿月晦日約定大引二斗二舛九合
二月晦日 東京築地米穀連民券西生産商會所
約定船来水油建
三月晦日約定出来不申
四月晦日約定大引七枚四両

Gally Kaiila

午前九時 約定 大司丈高
午後 〃 〃 〃 〃
午前九時 〃 〃 〃 〃
午後 〃 〃 〃 〃
三月廿日 事未筆紙ヲ以テ為替実賜西九拾弐石 差出ス

約定面米建

午前九時 〃 〃 〃 〃
午後 〃 〃 〃 〃
四月晦日 約定 九ツ半 二斗三升入 二俵
午前九時 〃 〃 〃 〃
午後 〃 〃 〃 〃
三月廿日 事未筆紙ヲ以テ 外国売物会所

約定船米水油建

三月十九日 約定
四月晦日 約定 九ツ半 二斗入 一俵
五月晦日 約定 九ツ半 二斗入 一俵

Enclosure
with despatch 184

No 5 Legation Japan

Copy of Circular of
Japanese Foreign
Stock Exchanges in
Japan

No 22

12

Profits of Vanlaud's Kaisho at Tokei
for 4 8 Business days

Extract from Books

一年以後三次
訂交

一年以後
四次訂交

一年以後
六次訂交

一年以後一次
訂交

一年以後三次
訂交

有事物人
可說事

四事
不可影

有事物人
不可影

有事物人
不可影

Jap Two 9day

8 mo: 16 day

5 mo 22nd day

Commenced Japanese 5th month 15th day = June 13. 1870.

48 being business day

closed by order of Govt. Jap. 7 months 9 days = August 5. 1870

Commission made Rios 474 1/4

105 1/4 Rios

116 1/4 Rios

191 1/2 Rios

SENATE EX. DOC. No. 119
SECOND SESS.

SENATE. EX. DOC. No. 13
40TH CONG. 3D SESS.

Enclosure
U S Legation Naples
Dispatch 1849.

Copy of Table Showing
Imports of Cocoons &
Raw Silk

No 23

92

Read 5 Oct
Am Baker

asked 22 June Mr Pratt

U.S. Legation Yokohama

Japan May 11th 1871

No 185

Hon. Geo. C. De Long

Envoy Extraordinary and

Minister Plenipotentiary

Contents

Advices about drawing drafts for salary

quarter ended March 31st 1871 and moneys

to that date paid out from Contingent Fund

of this Legation. Also forwarding Smith

proper vouchers, Statements of account &c.

No 185 ~~187~~ 185. Legation of Yokohama

Japan May 11th 1871

Sir.

I have the honor to advise you of my having drawn a draft on Baring Brothers & Co. for the sum of Six Hundred and Forty Nine pounds 1 Shilling (£649 1/) dated the 31st of March last. Also the same date a draft on you for the sum Five Hundred and nine 93/100 Dollars ($509 93/100) being for Salary for the quarter Ending March 31st 1871. for loss by exchange for amount due me to that date, from the Contingent Fund and for amount of income tax from the 1st of August to the 31st of December 1870. which I deducted from my previous drafts but found that I was chargable with at home.

I beg leave in support of these drafts to enclose.

First. Statement of Account for salary to March 31st 1871. (Enclosure No 1) 1/184

Second Abstract of the Contingent Expenses of this Legation to that date (Enclosure No 2) 2/184

Third. Vouchers in support of my statement

To Hamilton Fish of

Secretary of State.

Washington DC

of Expenditures from the Contingent Fund.

4/184 Fourth. Certificate of sale of draft on Baring Brothers & Co. Amt.

5/184 Fifth. Certificate of sale of draft drawn on you.

I beg leave to call your attention to the fact that a portion of the account is for salary for two months to my predecessor Intendente, which if I am not allowed to pay out of my Contingent Fund I beg leave may be paid out of the money appropriated for Intendente of this Legation and not expended for the period of time between the suspension of Mr Portman and the appointment of Dr Hepburn.

I have the honor to be

Sir, Your Most obedient Servant

C E De Long.

Enclosures.

No 1. Statement of Act for Salary to March 31st 1871

No 2. Abstract of Contingent Expenses to the same date

No 3. Vouchers in support of Contingent Fund Abstract

No 4. Certificate of sale of draft on Baring Brothers & Co.

No 5. Certificate of Sale of draft on Secretary of State.

Enclosure
Leaving for information
asked 22 June Pratt
as to the send

Legation Yokohama

Japan May 11th 1871

No 186

DEPARTMENT OF STATE
RECEIVED
JUN 21 1871

From

C E De Long

Envoy Extraordinary and

Minister Plenipotentiary.

Contents.

Forwarding a copy of a Letter received from the Japanese Minister for Foreign Affairs asking me to extend his thanks to Captain C E Packer of the Ship Annie M Small for saving some shipwrecked Japanese Sailors from death, and acknowledging of my having sent a copy of the same letter to the Japanese Consul at San Francisco to be by him given to Captain Packer.

No 186 Legation Yokohama

Japan May 11th 1871

Sir.

I beg leave to inform you that on the 6th inst I received from the Minister for Foreign Affairs of this Empire a letter expressing their thanks to Captain C C Packer of the Ship Annie E Small for having saved the lives of certain shipwrecked Japanese sailors found by him adrift on the ocean in a dismantled junk; and also requesting me to communicate the same to Captain Packer (Inclosure No 1) 1/5

Being unaware of Captain Packers place of residence I have forwarded to Mr Brooks Consul for Japan at San Francisco a Copy of this Letter received by me from the Minister requesting him to forward the same to Captain Packer if he had knowledge of his place of residence.

I have the honor to be Sir

Your most obedient Servant

Hon Hamilton Fish C C DeLong

Secretary of State

Washington D.C.

Legation Japan

May 11th 1871

C. & De Long.

No 186

Asst Enclosure

Received.

Thanks of Minister for Foreign Affairs of Japan to Captain C. E. Packer of the Ship Gen. Siemel

Captain
Sir I have the honor to transmit herewith a letter addressed to me by His Excellency Soyejima Foreign Minister of Japan expressing the thanks of His Majesty's Government to Captain C. E. Packer

No 72 Ministry of Foreign Affairs

2nd Year of Meiji May 6. 1869.

Sir

I beg to inform you that about the middle of the 11th month of last year (about 1st Jan 1869) Shintaichi, of the Province of Kishiu and village of Shimyato, the master of a junk called the Sumiyoshimaru, and three others were driven out to sea by adverse winds from near Cape Sirako of the Province of Ise, and were on the point of perishing when Captain E. C. Packer of the American ship "Annie M. Small" rescued them, and carried them safely to San Francisco. There having received many & various Kindness, they were sent back by the mail steamer and arrived in Yokohama on the 7th day of the 2nd month (27th March) These facts were communicated to me by the Governor of Kanagawa, besides also receiving full particulars

to His Excellency Charles E. De Long from

Envoy Extraordinary & Minister Plenipotentiary

of the U. S. of America.

from our Country the Marks, inviting me to Yokohama

who communicated them to our Government.

It was altogether through the exertions of Capt.

Packer that the lives of these four men were saved.

Truly it is a matter for admiration and

gratitude. We make this communication to your

Excellency with the request that you will convey to

Captain Packer our sincere thanks for his kindness.

With respect & consideration

Sawa Nobu Yoshi

Minister for Foreign affairs

Enclosure
Japanese letter

Dept. dated May 1867.

From Marks &
Co to Packer

No 1

dated May 6th 1867

達有之度此段可得貴意如此

卿　座候以上

明治四年
辛未三月四七日　外務卿澤宣嘉

米利堅合衆國特派全權公使
チヤーレスイヱロンブ　閣下

其趣我政府へ申入候處全ク貴國
船將ハツクル氏之
罪人之生命ヲ保存候儀實ニ叮
感謝候依之右謝辭閣下迄申
進候間ハツクル氏へ可然御通

七日横濱港へ歸着致シ候段神奈
川縣ヨリ報知有之并ニサンフランシ
スコ日本領事官フルークス代アルム
ースヨリモ書簡差越委曲致承知

危ニ及ヒ候處、
船將シーイー・ハツクル氏ノ救助ニ依リ
サンフランシスコニ安着致シ種々厚
意ニ預リ飛脚
船ニ乗換去ル二月

二拾二号

以手紙致啓上候然ハ容歳我十一

月中我紀州新宮下里村住吉九

船頭新吉以下三人伊勢白子崎辺

二ヲ難風之為大洋ニ漂流殆ト困

Jefferson Pennsin
of Sn Eleven No 1
With dispatch 185

Encl 2

Recd 22 June W.P. Batt

United States Legation

Yokohama Japan May 15th 1871

No 187 bis.

Hon

C. E. De Long

Envoy Extraordinary &c

DEPARTMENT OF STATE RECEIVED JUN 21 1871

Contents.

Submitting certain correspondence with the Ministers for Foreign Affairs and Finance relative to allowing the Japanese firebrick (which may be desired) to present to San Francisco with the products & manufactures of this Empire & their take part in the Exhibition to begin in that City in August next by the Mechanics Institute Society.

187

No 187 ~~159~~ 84 United States Legation

Yokohama Japan May 15th 1871

Sir

I have the honor to inform you of the arrival here from San Francisco of one Mr Horace D Dimm. Commissioner of the Mechanics Fair Institute Society duly empowered as such for China and Japan

After being advised by him of his powers and intentions I at once took steps to aid him. With this view I addressed communications to the Finance and Foreign Departments intimating to them the proposals of the Society and respectfully urging them to allow this people who might-or desire to present to San Francisco with proper assets for exhibition.

In this communication I respectfully urged upon the attention of their Excellencies the advantages to this people and also to their Manufacturing and Commercial interests that might follow. Three

Hon Hamilton Fish Communications

Secretary of State

Washington DC

I followed
Communications by an Interview with His
Excellency at which I introduced Mr Dunn.

On the 10th inst- I received the enclosed
Note from the Chief Officers of these two
4/186 Departments (Enclosure No 1) to which I
call your attention with some pleasure as
evidence of the progressive spirit that is
manifested thereby; and also in proof of
kind official relations which are held by
myself with them.

I also beg leave to enclose a copy of my
4/186 Note in reply (Enclosure No 2)

Trusting to your kind approval
of my course in this matter

I have the Honor to be
Sir
Your most obedient Servant
C Ed Long

Enclosures
No. 1. Note from the Chief Ministers of Finance
and Foreign Affairs
No 2. My reply thereto

Copy

No 130. United States Legation

Yokohama May 11th 1871

To His Excellencies

The Ministers for Foreign Affairs

&c &c &c

It is with great pleasure that I acknowledge the receipt of Your Excellencies dispatch of date the 9th inst consenting to allow your people if they desire to do so to participate in the Exhibition to be given in San Francisco in August next under the auspices of the Mechanic's Institute Society

The reason that you assign for your unwillingness to engage your Government in this Exhibition are in some way satisfactory but I trust that in the future when the World's Fair is held in the United States commemorating the centennial anniversary of the formation of that Government that you will be prepared and willing to take part in that in common with all of the other powers.

As this Mechanic's Fair to be held in San Francisco is mainly in aid of Commerce and manufactures the course that you have adopted of allowing such of your people

to

to go as may choose, but as connecting
your Government with it will prove
entirely satisfactory to the Society under
whose auspices the Exhibition is to be
held; and I will not fail to make it
fully understood to that Society and to my
Government that such Exhibitions as may
then be made of Japanese products and
manufactures is made by your merchants
and not by your Government.

I take this opportunity to extend to your
Excellencies and also to Prince Ito and to
Mr Assistant Ministers of Finance my
sincere thanks for them and your great
kindness in this matter; and I sincerely
trust that you may all find in such
association of our people as this will
produce no other results than such as
you may most desire.

I will at once take steps to
organize a party of your merchants who
are willing to attend the Fair and
Exhibit their Goods; who with such
officers as you may see proper to send
with them I assume you will arrive
at

at the hands of all of the people of San Francisco such kindness and attention as will make the excursion both pleasant and beneficial

With respect & consideration

O E D Long

U.S. Legation Japan

With Dispatch No 187

Letter to Minister of
Foreign Affairs.

No 2

Dated May 11th 1871

米利堅合衆國將軍全權公使
チャーレスデロング閣下

火藏卿伊達宗城判

業遂績二付其段御兼知有之前顯之
次第等右社中へ可然御傳告有之度
存候此段回答旁可得御意如此御座候
以上

明治四年
三月九日

外務卿澤宣嘉判

之金係趣二付我商人来之内ヨリ交會有

之者ハ免許可致事ニ候決致候間来

筋ヘ布令可致就テハ彌物件差出

候者有之候ハヽ取締之為ニ官員可

滅候ト雖モ益々我物産ヲ破望候儀

ハ我國ヲ御勸誘被成候情實之尤深切

ナル儀ニテ致感謝候且當節之衆覽會

ハ實國政府之催シニ無之巻械方社中

ト云ヘ政府ヨリ差出候儀ハ決而無之候ヘ共

御断及之候節ハ尤御面會之砌閣下縷々

御口述之趣モ有之我商人ヨリ差出候物

件ハ都テ無賃ニテ運送致シ且渡航人

之船賃往返五百弗ノ内二百弗ヲ被

國民ハ元布令致候處是又相望ミ候
元ノ無之是則方今我國情ニ有勢以
抃角之御憨諭ニハ候ヘトモ元即今相斷候
方可然者評決致候ニ付甚遺憾ニハ候ヘ

難行届既ニ英國龍動於ヲ乘觀場相

閑候ニ付我物品差出候様昨年中同

國公使ヨリ厚ク懇合之趣有之候ヘ𠮟

政府ヨリ差出候儀ハ矢張相断置我

稗益ヲ被計且右社中於テモ注意之
情實忝被存候右ハ知識ヲ擴充シ開
化進歩之一助ニモ
度候ヘトモ國政變更萬來即今之場
合ニテハ猶未タ諸般之手都合等果然

サンフランシスコ博覧會被相開候趣ニテ我國ヨリモ物産
可差出様懇々御来示之趣遂一致了
辱候右ハ段々之御懇諭專ラ我國之

第二十四号

千八百七十二年第四月廿日附第百

二拾六号之貴翰落手然者貴國

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

No 24 Tokio 20 day of

3rd month 4th year

of Meiji (May 9. 1871.

Sir

We have the honor to acknowledge the

receipt of your Excellency's letter No 26.

of April 21. 1871, informing us that the =

Mechanics Institute of San Francisco,

was about to hold a Fair in that city =

and inviting us to send to it, for exhibi-

tion, the productions and manufactures

of this country.

We fully appreciate the various points

of your letter, and regard this as another

To His Excellency.

C. E. De Long

Envoy Extraordinary and

Minister Plenipotentiary

of The U.S. America

of the many friendly intentions you
have had, in which you have sought
only the interests of this country. We
desire also to thank the Mechanics =
Institute for their kind invitation.

Such exhibitions, are, doubtless,
important aids to the diffusion of =
knowledge, and the advancement of
civilization, and, on this account, it is
our desire to comply with your Excel-
lency's proposal, but the Government
of this country, ever since its organiz-
ation has had to contend with many
annoyances and difficulties, which
it finds hard to control.

For these reasons, about the mid-
dle of last year after a long conference
we had to decline the invitation of
the

The British Commissioners and our productions to an Exhibition that was opened in London, and although we issued a notice allowing our people to attend, there were none willing to go.

The affairs of this country being still in the same condition, the Government having duly considered the matter have decided not to take any part in the exhibition, and respectfully decline, we fear much to your disappointment, the kind invitation which you have taken so much pains to extend to us.

So much were you in earnest, that our products should be represented at this exhibition, that you mentioned to

to us for our merchandise, that no freight would be charged for the transportation of such goods as any of our people might send, and that from the customary fare of $50 for a person going and returning, a deduction of $200 would be made. This we regard as an evidence of your sincere desire to encourage and advance the interests of this country, and we beg to make your Excellency our thankful acknowledgements for it.

Moreover, as this Exhibition is not made directly by your Government, but by the Mechanics Institute, we have decided to grant permission to any of our merchants who may desire to attend, and will also

publish

publish a notice to this effect, besides,
should any desire to send their goods
we will send an officer to superintend
it.

Will your Excellency kindly convey
our reply and foregoing communica-
tion to the Imperial Institute

With respect & consideration

(Signed) Sawa Nobuyoshi

Minister for Foreign
Affairs.

(Signed) Dote Iwaki

Minister of
Finance

Enclosure

No Legation Japan

With dispatch No 187

Letter of Minister of Finance and Foreign Affairs.

No 1

Dated May 9th 1871

The most recent information we have from the Corea
requires the suspension of any reply [illegible]

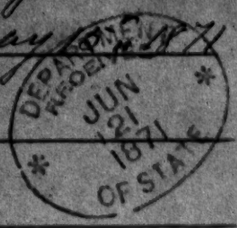
Rec'd 20 June 1871

No 188

Wrp Pratt

United States Legation

Yokohama Japan May 8th 1871



Genl

E. D. Ling

Envoy Extraordinary &c

Corututs.

Advising of an application made to me by
the Japanese Ministers for American protection
to Japanese Officials in Corea in the event
of a sudden outbreak of hostilities there
between that people and our squadron.

Enclosing copy of letter on the subject
addressed by me to Hon H. H. Low

No 188 170. 188 United States Legation

Yokohama Japan May 15th 1871

Sir.

I have the honor to report to you that whilst at Yeddo a few days since I was visited upon by Prince Date Minister of Finance and Sawa Nobuyoshi Chief Minister for Foreign Affairs who enquired very particularly of me about the object of the United States Government in despatching a fleet to Corea, and more particularly as to whether hostilities were likely to ensue.

Being myself wholly uninformed as to the purpose of the expedition and even in ignorance of the exact point to which it would first proceed I was unable to furnish their Excellencies with any information.

They then mentioned to me that in the past Corea had acknowledged Japanese sovereignty by the payment of yearly tribute which however that Government had ceased for some years past to pay; that the Japanese

Authorities

Hon Hamilton Fish

Secretary of State

Washington DC

authorities had been too completely occupied
in the administration of the internal affairs
of their own Empire to do more than to
send some Commissioners to Corea empowered
to ajust the relations of the two Countries

That three Commissioners three in
number were then in Corea at a place called
Foosang and that they (the Ministers) felt very
great concern for their safety.

They asked me if I would kindly
use my good offices with Minister Low and
Admiral Rodgers to secure their protection
for three men if it should become necessary
and they should be applied to by those Officers

Regarding it as an opportunity to
be improved to convince this Government of
the friendliness of the United States I agreed
to do so

Their Excellencies then advised me
that they should dispatch a messenger
by the American Mail Steamer (to sail the
following day for Nagasaki) to leave there
by private conveyance for Foo Song to
apprise the Commissioners of the impending
trouble and the steps taken for their

security

Secretary, and earnestly requested me to send to
the Minister and Admiral by the same opportunity.

I did as requested sending by the messenger
a sealed dispatch to Mr Low (Enclosure No 1) 1/187
and a similar dispatch to Admiral Rodgers.

I also gave the messenger private Letters of
introduction to both Mr Low and Mr Rodgers to
take with him to Corea to be used in case of
necessity for the purpose of identification and
to secure protection for himself and the
Commissioners.

The messenger left here with these letters
on the 6th inst- direct for Nagasaki

For this courtesy His Excellencies Pomin
Deta and Mr Sawa warmly thanked me and
begged me to assure you of the deep sense of obligation
that they felt to my Government for this act of
disinterested kindness

Awaiting to an approval of my
action I have the honor to remain

Sir

Your most obedient Servant-

C C De Long

Copy

No 128. United States Legation

Yedo May 3rd 1871

Sir.

As may be known to you, for many years the Corean Government paid tribute to that of Japan.

It having ceased sometime since to do so this Government dispatched an Embassy thus to arrange the relations between the two Governments.

That Commission consisting of three officers is now in Corea at a place called Foo Song

The Japanese authorities having learned of this near departure of the American Fleet for Corea have become alarmed for the safety of the Commissioners should any hostilities ensue between the Fleet and the Coreans

This & all others the Ministers for Foreign Affairs have called upon me to use my good offices with you and also with Admiral Rodgers to save the Commissioners

H. F. Low Esq Samuel

Ne Minister to China

Nagasaki Japan

Kamelles if possible should they become involved in any danger

I have assured His Excellencies that I would Communicate with both Admiral Rodgers and yourself upon this subject, urging upon each of you as an act of friendship upon the part of our Government toward this Empire to take all necessary precautions within your power to save His Excellencies from any injuries likely to result from your expedition

His Excellencies by this mail will dispatch an officer at once for Nagasaki to proceed from thence in a native junk to Yedo to warn His Excellencies of possible danger and to make due preparation to leave there if necessary either under your protection or otherwise, this officer I will furnish with a personal letter of introduction to the Admiral and yourself so that in the event he should desire to communicate with you you will thereby know him as a properly authorized official of this Government.

I beg leave most earnestly to Commend

these

these Japanese officers both of this Commission and also the bearer of this letter to your most kind consideration and careful protection

Should it not be any inconvenient to you, and in your judgment necessary as an act of protection, I trust that you will call at that port and receive these men on board your fleet; or otherwise give them such protection as you would under like circumstances accord to officers of the American Government.

By so doing I am convinced that you will do much to strengthen the bond of amity that now exists between the Japanese Empire and the Government that we have the honor to represent.

I have the honor to remain

Sir

Your most obedient Servant

C E De Long

U.S. Legation Japan

With dispatch No 18

Letter to Minister Low.

No 1

May 5th 1871

Acted 22 June Mr Platt.

Mr Iwakura

Japan May 16 1871

DEPARTMENT OF STATE RECEIVED JUN 21 1871

189

No 49 71

Com to C & De Long

Envoy Extraordinary &c

Contents

Communicating a letter of thanks for kind reception of the Japanese Charge des Affairs at Washington.

No 189 ~~No 189 N.S.~~ Legation Japonaise

Japon May 6 th 1871

Sir.

I have the honor to advise you of the receipt by me on the 3 d inst of a Note from their Excellencies returning thanks for the kind reception extended to the Mori Charges des affaires at Washington (Enclosure No 1) 1/189

I have the honor to be

Sir

Your most obedient Servant

E E De Long

Hon Hamilton Fish

Secretary of State

Washington D C

Enclosure

No 1. Note from Minister for Foreign Affairs

Japan May 16th 1871

B E Swing

No 18.

Dec Enclosure

Received.

Communicating a
Note Received from the
Minister for Foreign
Affairs returning thanks
for the kind reception
Extended to Mori

(Copy) 15th day of 5th month
à Paris Midi. (May 4th. 1871)

His Excellency
Charles E. De Long
Envoy Extraordinary and
Minister Plenipotentiary

Sir.

I have the honor to acknowledge the
receipt of your dispatch of 24th of April 1871
advising me of the safe arrival of our Charge
des Affairs at Washington

I beg to express our gratitude for the
friendly reception and kind treatment of
your Government towards him of which I
have made due representation to my Government.

I have the honor to be Sir
Your obedient Servant
Saneyoshi
Minister for Foreign affairs.

Enclosure
No Legation Japan

With dispatch No 189

Note of Minister of
Foreign Affairs stating
thanks for kind reception
of H.E. Mr Iwasi
at Washington

No 1

May 4th 1871

千八百七十一年第四月廿四日附貴翰
致落手候然ハ少牙務使奏有禮儀之
恙貴國都府へ到着貴政府於テ厚ク
御接待有之候旨貴國執政方ヨリ御報
知之条拙者於テモ右御懇親之段感佩
致シ候乃チ我政府へ建言方ヨロシク候此
段因茲如此御座候以上

明治四年
辛未三月廿日

外務卿澤宣嘉

米利堅合衆國特派全權公使
チヤールス イシヤロン
閣下

Desp 50 adopted June 21
acknd 22 June Mr Pratt

Delegation Yokohama

Japan May 16th 1871

No 190 192

DEPARTMENT RECEIVED JUN 21 1871 OF STATE

From. C C De Long

Envoy Extraordinary and Minister Plenipotentiary

Contents.

Advising fact of my having given some young Japanese students personal letters of introduction to you. and also forwarding copies of Notes received by me from the Minister of Foreign Affairs asking this courtesy of me.

190

No. [illegible] Legation Yokohama

Japan May 16th 1871

Sir.

I beg leave to advise you that on the 8th of last month I received a Note from Their Excellencies The Minister for Foreign Affairs requesting me to give from young Japanese Gentlemen who were intending to leave for America to pursue a course of study in naval matters a letter of introduction ~~from~~. (Enclosure No 1) With this Letter was enclosed 1/189

a List of the names of the young men. 2

(Enclosure No 2.) 2/189.

In a personal interview that I held with Their Excellencies subsequently to receiving this Note I informed them that I would be pleased to know more particularly who these young men were, what rank they held here, what academy or school it was desired to have them enter, to whom they wished these Letters of Introduction to be addressed &c. I

Hon Hamilton Fish reply

Secretary of State

Washington DC

reply I received from Their Excellencies
on Yesterday and this Note (Enclosure No
3/189 3) enclosing a note to them from the
4/189 War Department (Enclosure No 4)

This entanglement correspondence
does not in reality concern my mission
and I presume Their Excellencies must
have misunderstood me. However as I
have no time to address further with them
I have concluded the matter by giving
the young man a letter to you of this date
and I trust that through the Japanese
Representatives you will be better able to
understand just what is desired.

I beg leave to bespeak for these young
men the kindness and attention ordinarily
bestowed by you upon Japanese officials, which
come upon your part I assure you I am
most very few to strengthen American influence
in Japan

I have the honor to be
Sir
Your most obedient Servant
E E De Long

List of Enclosures

No 1. Note from Japanese Minister

No 2. List of Names

No 3. Note from Japanese Minister

No 4. Note from War Department

May 16th 1871

C C De Long

No 190

From Enclosures

Remit

Address about any
Claims you may
Japanese Letter of
Introduction to you

以手紙致啓上候然者今般兵部省ヨリ
海軍術為修行別紙名面之者共十一
日出帆貴國へ被差遣候ニ付到着之上
ハ万端御配リ之方御宛ヲ遂ケ候様御
懇教有之度候間毎度右御手数閣下ヨ
リ英節へ御書送相願度可成ハ右出立
前御遣被下度此段御依頼申候右可得
御意如此御座候以上

明治四年　外務卿澤宣嘉

辛未三月八日

米利堅合衆国特派全権公使

チヤーレス・デ・ロング閣下

(Translation Copy) Yokei 8th. of 3d. month
4th. of Midi (April 27th. 1871)

His Excellency
Charles E. De Long
U.S. Minister

Sir.

I have the honor to inform your Excellency that the students in the annexed list of names sent from the War Department are going to your Country to be educated there in the Naval Service and will leave here on the 3th. of this month.

I request your Excellency that you will please to take the trouble to write a letter of introduction for them to such persons as you think best-so that they may acquire the assistance they desire; and send such letter up here before their departure.

I have the honor to be
Sir your obedient Servant
Seaou &c &c &c
Minister for Foreign Affairs

Enclosure

No 1 Legation Japan

With Despatch No. 190

With Imperial Minister of Foreign Affairs asking for a letter of introduction

No 1

April 27th 1871

笛掌生姓名

有馬新太郎

横井平次太良

上坂多賀之助

曽根直之進

右之通リ

Copy translation

Names of Students.

Aoma Kentaro
Ohori Keigitaro
Nisaka Sagamoske
Sone Kaonoshin

As above

No Legation Japan

With Despatch No. 190

List of names of Students.

No 2,

Without date

六、本校教職員之薪俸、依照薪俸表支給之、

十、本校因國（家）經費支絀或其他之

特殊事故、得減少教職員之薪俸、其減少之

數額及期間、由校務會議決定之、

第十一條　本校教職員之退休、依照國家

公務人員退休法辦理、

第十二條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第十三條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第十四條　本校教職員之考績、依照國家

公務人員考績法辦理、

第十五條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第十六條　本校教職員之請假、依照國家

公務人員請假法辦理、

第十七條　本校教職員之服務、依照國家

公務人員服務法辦理、

第十八條　本校教職員之保險、依照國家

公務人員保險法辦理、

第十九條　本校教職員之進修、依照國家

公務人員進修法辦理、

第二十條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第二十一條　本校教職員之福利、依照國家

公務人員福利法辦理、

第二十二條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第二十三條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第二十四條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第二十五條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第二十六條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第二十七條　本校教職員之考績、依照國家

公務人員考績法辦理、

第二十八條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第二十九條　本校教職員之請假、依照國家

公務人員請假法辦理、

第三十條　本校教職員之服務、依照國家

公務人員服務法辦理、

第三十一條　本校教職員之保險、依照國家

公務人員保險法辦理、

第三十二條　本校教職員之進修、依照國家

公務人員進修法辦理、

第三十三條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第三十四條　本校教職員之福利、依照國家

公務人員福利法辦理、

第三十五條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第三十六條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第三十七條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第三十八條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第三十九條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第四十條　本校教職員之考績、依照國家

公務人員考績法辦理、

第四十一條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第四十二條　本校教職員之請假、依照國家

公務人員請假法辦理、

第四十三條　本校教職員之服務、依照國家

公務人員服務法辦理、

第四十四條　本校教職員之保險、依照國家

公務人員保險法辦理、

第四十五條　本校教職員之進修、依照國家

公務人員進修法辦理、

第四十六條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第四十七條　本校教職員之福利、依照國家

公務人員福利法辦理、

第四十八條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第四十九條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第五十條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第五十一條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第五十二條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第五十三條　本校教職員之考績、依照國家

公務人員考績法辦理、

第五十四條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第五十五條　本校教職員之請假、依照國家

公務人員請假法辦理、

第五十六條　本校教職員之服務、依照國家

公務人員服務法辦理、

第五十七條　本校教職員之保險、依照國家

公務人員保險法辦理、

第五十八條　本校教職員之進修、依照國家

公務人員進修法辦理、

第五十九條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第六十條　本校教職員之福利、依照國家

公務人員福利法辦理、

第六十一條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第六十二條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第六十三條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第六十四條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第六十五條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第六十六條　本校教職員之考績、依照國家

公務人員考績法辦理、

第六十七條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第六十八條　本校教職員之請假、依照國家

公務人員請假法辦理、

第六十九條　本校教職員之服務、依照國家

公務人員服務法辦理、

第七十條　本校教職員之保險、依照國家

公務人員保險法辦理、

第七十一條　本校教職員之進修、依照國家

公務人員進修法辦理、

第七十二條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第七十三條　本校教職員之福利、依照國家

公務人員福利法辦理、

第七十四條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第七十五條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第七十六條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第七十七條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第七十八條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第七十九條　本校教職員之考績、依照國家

公務人員考績法辦理、

第八十條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第八十一條　本校教職員之請假、依照國家

公務人員請假法辦理、

第八十二條　本校教職員之服務、依照國家

公務人員服務法辦理、

第八十三條　本校教職員之保險、依照國家

公務人員保險法辦理、

第八十四條　本校教職員之進修、依照國家

公務人員進修法辦理、

第八十五條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第八十六條　本校教職員之福利、依照國家

公務人員福利法辦理、

第八十七條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第八十八條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第八十九條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第九十條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第九十一條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第九十二條　本校教職員之考績、依照國家

公務人員考績法辦理、

第九十三條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第九十四條　本校教職員之請假、依照國家

公務人員請假法辦理、

第九十五條　本校教職員之服務、依照國家

公務人員服務法辦理、

第九十六條　本校教職員之保險、依照國家

公務人員保險法辦理、

第九十七條　本校教職員之進修、依照國家

公務人員進修法辦理、

第九十八條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第九十九條　本校教職員之福利、依照國家

公務人員福利法辦理、

第一百條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第一百一條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第一百二條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第一百三條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第一百四條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第一百五條　本校教職員之考績、依照國家

公務人員考績法辦理、

第一百六條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第一百七條　本校教職員之請假、依照國家

公務人員請假法辦理、

第一百八條　本校教職員之服務、依照國家

公務人員服務法辦理、

第一百九條　本校教職員之保險、依照國家

公務人員保險法辦理、

第一百十條　本校教職員之進修、依照國家

公務人員進修法辦理、

第一百十一條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第一百十二條　本校教職員之福利、依照國家

公務人員福利法辦理、

第一百十三條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第一百十四條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第一百十五條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第一百十六條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第一百十七條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第一百十八條　本校教職員之考績、依照國家

公務人員考績法辦理、

第一百十九條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第一百二十條　本校教職員之請假、依照國家

公務人員請假法辦理、

第一百二十一條　本校教職員之服務、依照國家

公務人員服務法辦理、

第一百二十二條　本校教職員之保險、依照國家

公務人員保險法辦理、

第一百二十三條　本校教職員之進修、依照國家

公務人員進修法辦理、

第一百二十四條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第一百二十五條　本校教職員之福利、依照國家

公務人員福利法辦理、

第一百二十六條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第一百二十七條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第一百二十八條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第一百二十九條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第一百三十條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第一百三十一條　本校教職員之考績、依照國家

公務人員考績法辦理、

第一百三十二條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第一百三十三條　本校教職員之請假、依照國家

公務人員請假法辦理、

第一百三十四條　本校教職員之服務、依照國家

公務人員服務法辦理、

第一百三十五條　本校教職員之保險、依照國家

公務人員保險法辦理、

第一百三十六條　本校教職員之進修、依照國家

公務人員進修法辦理、

第一百三十七條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第一百三十八條　本校教職員之福利、依照國家

公務人員福利法辦理、

第一百三十九條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第一百四十條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第一百四十一條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第一百四十二條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第一百四十三條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第一百四十四條　本校教職員之考績、依照國家

公務人員考績法辦理、

第一百四十五條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第一百四十六條　本校教職員之請假、依照國家

公務人員請假法辦理、

第一百四十七條　本校教職員之服務、依照國家

公務人員服務法辦理、

第一百四十八條　本校教職員之保險、依照國家

公務人員保險法辦理、

第一百四十九條　本校教職員之進修、依照國家

公務人員進修法辦理、

第一百五十條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第一百五十一條　本校教職員之福利、依照國家

公務人員福利法辦理、

第一百五十二條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第一百五十三條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第一百五十四條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第一百五十五條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第一百五十六條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第一百五十七條　本校教職員之考績、依照國家

公務人員考績法辦理、

第一百五十八條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第一百五十九條　本校教職員之請假、依照國家

公務人員請假法辦理、

第一百六十條　本校教職員之服務、依照國家

公務人員服務法辦理、

第一百六十一條　本校教職員之保險、依照國家

公務人員保險法辦理、

第一百六十二條　本校教職員之進修、依照國家

公務人員進修法辦理、

第一百六十三條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第一百六十四條　本校教職員之福利、依照國家

公務人員福利法辦理、

第一百六十五條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第一百六十六條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第一百六十七條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第一百六十八條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第一百六十九條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第一百七十條　本校教職員之考績、依照國家

公務人員考績法辦理、

第一百七十一條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第一百七十二條　本校教職員之請假、依照國家

公務人員請假法辦理、

第一百七十三條　本校教職員之服務、依照國家

公務人員服務法辦理、

第一百七十四條　本校教職員之保險、依照國家

公務人員保險法辦理、

第一百七十五條　本校教職員之進修、依照國家

公務人員進修法辦理、

第一百七十六條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第一百七十七條　本校教職員之福利、依照國家

公務人員福利法辦理、

第一百七十八條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第一百七十九條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第一百八十條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第一百八十一條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第一百八十二條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第一百八十三條　本校教職員之考績、依照國家

公務人員考績法辦理、

第一百八十四條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第一百八十五條　本校教職員之請假、依照國家

公務人員請假法辦理、

第一百八十六條　本校教職員之服務、依照國家

公務人員服務法辦理、

第一百八十七條　本校教職員之保險、依照國家

公務人員保險法辦理、

第一百八十八條　本校教職員之進修、依照國家

公務人員進修法辦理、

第一百八十九條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第一百九十條　本校教職員之福利、依照國家

公務人員福利法辦理、

第一百九十一條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第一百九十二條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第一百九十三條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第一百九十四條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第一百九十五條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第一百九十六條　本校教職員之考績、依照國家

公務人員考績法辦理、

第一百九十七條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第一百九十八條　本校教職員之請假、依照國家

公務人員請假法辦理、

第一百九十九條　本校教職員之服務、依照國家

公務人員服務法辦理、

第二百條　本校教職員之保險、依照國家

公務人員保險法辦理、

第二百一條　本校教職員之進修、依照國家

公務人員進修法辦理、

第二百二條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第二百三條　本校教職員之福利、依照國家

公務人員福利法辦理、

第二百四條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第二百五條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第二百六條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第二百七條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第二百八條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第二百九條　本校教職員之考績、依照國家

公務人員考績法辦理、

第二百十條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第二百十一條　本校教職員之請假、依照國家

公務人員請假法辦理、

第二百十二條　本校教職員之服務、依照國家

公務人員服務法辦理、

第二百十三條　本校教職員之保險、依照國家

公務人員保險法辦理、

第二百十四條　本校教職員之進修、依照國家

公務人員進修法辦理、

第二百十五條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第二百十六條　本校教職員之福利、依照國家

公務人員福利法辦理、

第二百十七條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第二百十八條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第二百十九條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第二百二十條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第二百二十一條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第二百二十二條　本校教職員之考績、依照國家

公務人員考績法辦理、

第二百二十三條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第二百二十四條　本校教職員之請假、依照國家

公務人員請假法辦理、

第二百二十五條　本校教職員之服務、依照國家

公務人員服務法辦理、

第二百二十六條　本校教職員之保險、依照國家

公務人員保險法辦理、

第二百二十七條　本校教職員之進修、依照國家

公務人員進修法辦理、

第二百二十八條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第二百二十九條　本校教職員之福利、依照國家

公務人員福利法辦理、

第二百三十條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第二百三十一條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第二百三十二條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第二百三十三條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第二百三十四條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第二百三十五條　本校教職員之考績、依照國家

公務人員考績法辦理、

第二百三十六條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第二百三十七條　本校教職員之請假、依照國家

公務人員請假法辦理、

第二百三十八條　本校教職員之服務、依照國家

公務人員服務法辦理、

第二百三十九條　本校教職員之保險、依照國家

公務人員保險法辦理、

第二百四十條　本校教職員之進修、依照國家

公務人員進修法辦理、

第二百四十一條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第二百四十二條　本校教職員之福利、依照國家

公務人員福利法辦理、

第二百四十三條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第二百四十四條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第二百四十五條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第二百四十六條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第二百四十七條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第二百四十八條　本校教職員之考績、依照國家

公務人員考績法辦理、

第二百四十九條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第二百五十條　本校教職員之請假、依照國家

公務人員請假法辦理、

第二百五十一條　本校教職員之服務、依照國家

公務人員服務法辦理、

第二百五十二條　本校教職員之保險、依照國家

公務人員保險法辦理、

第二百五十三條　本校教職員之進修、依照國家

公務人員進修法辦理、

第二百五十四條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第二百五十五條　本校教職員之福利、依照國家

公務人員福利法辦理、

第二百五十六條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第二百五十七條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第二百五十八條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第二百五十九條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第二百六十條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第二百六十一條　本校教職員之考績、依照國家

公務人員考績法辦理、

第二百六十二條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第二百六十三條　本校教職員之請假、依照國家

公務人員請假法辦理、

第二百六十四條　本校教職員之服務、依照國家

公務人員服務法辦理、

第二百六十五條　本校教職員之保險、依照國家

公務人員保險法辦理、

第二百六十六條　本校教職員之進修、依照國家

公務人員進修法辦理、

第二百六十七條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第二百六十八條　本校教職員之福利、依照國家

公務人員福利法辦理、

第二百六十九條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第二百七十條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第二百七十一條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第二百七十二條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第二百七十三條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第二百七十四條　本校教職員之考績、依照國家

公務人員考績法辦理、

第二百七十五條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第二百七十六條　本校教職員之請假、依照國家

公務人員請假法辦理、

第二百七十七條　本校教職員之服務、依照國家

公務人員服務法辦理、

第二百七十八條　本校教職員之保險、依照國家

公務人員保險法辦理、

第二百七十九條　本校教職員之進修、依照國家

公務人員進修法辦理、

第二百八十條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第二百八十一條　本校教職員之福利、依照國家

公務人員福利法辦理、

第二百八十二條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第二百八十三條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第二百八十四條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第二百八十五條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第二百八十六條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第二百八十七條　本校教職員之考績、依照國家

公務人員考績法辦理、

第二百八十八條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第二百八十九條　本校教職員之請假、依照國家

公務人員請假法辦理、

第二百九十條　本校教職員之服務、依照國家

公務人員服務法辦理、

第二百九十一條　本校教職員之保險、依照國家

公務人員保險法辦理、

第二百九十二條　本校教職員之進修、依照國家

公務人員進修法辦理、

第二百九十三條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第二百九十四條　本校教職員之福利、依照國家

公務人員福利法辦理、

第二百九十五條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第二百九十六條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第二百九十七條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第二百九十八條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第二百九十九條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第三百條　本校教職員之考績、依照國家

公務人員考績法辦理、

第三百一條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第三百二條　本校教職員之請假、依照國家

公務人員請假法辦理、

第三百三條　本校教職員之服務、依照國家

公務人員服務法辦理、

第三百四條　本校教職員之保險、依照國家

公務人員保險法辦理、

第三百五條　本校教職員之進修、依照國家

公務人員進修法辦理、

第三百六條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第三百七條　本校教職員之福利、依照國家

公務人員福利法辦理、

第三百八條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第三百九條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第三百十條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第三百十一條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第三百十二條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第三百十三條　本校教職員之考績、依照國家

公務人員考績法辦理、

第三百十四條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第三百十五條　本校教職員之請假、依照國家

公務人員請假法辦理、

第三百十六條　本校教職員之服務、依照國家

公務人員服務法辦理、

第三百十七條　本校教職員之保險、依照國家

公務人員保險法辦理、

第三百十八條　本校教職員之進修、依照國家

公務人員進修法辦理、

第三百十九條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第三百二十條　本校教職員之福利、依照國家

公務人員福利法辦理、

第三百二十一條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第三百二十二條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第三百二十三條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第三百二十四條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第三百二十五條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第三百二十六條　本校教職員之考績、依照國家

公務人員考績法辦理、

第三百二十七條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第三百二十八條　本校教職員之請假、依照國家

公務人員請假法辦理、

第三百二十九條　本校教職員之服務、依照國家

公務人員服務法辦理、

第三百三十條　本校教職員之保險、依照國家

公務人員保險法辦理、

第三百三十一條　本校教職員之進修、依照國家

公務人員進修法辦理、

第三百三十二條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第三百三十三條　本校教職員之福利、依照國家

公務人員福利法辦理、

第三百三十四條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第三百三十五條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第三百三十六條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第三百三十七條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第三百三十八條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第三百三十九條　本校教職員之考績、依照國家

公務人員考績法辦理、

第三百四十條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第三百四十一條　本校教職員之請假、依照國家

公務人員請假法辦理、

第三百四十二條　本校教職員之服務、依照國家

公務人員服務法辦理、

第三百四十三條　本校教職員之保險、依照國家

公務人員保險法辦理、

第三百四十四條　本校教職員之進修、依照國家

公務人員進修法辦理、

第三百四十五條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第三百四十六條　本校教職員之福利、依照國家

公務人員福利法辦理、

第三百四十七條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第三百四十八條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第三百四十九條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第三百五十條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第三百五十一條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第三百五十二條　本校教職員之考績、依照國家

公務人員考績法辦理、

第三百五十三條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第三百五十四條　本校教職員之請假、依照國家

公務人員請假法辦理、

第三百五十五條　本校教職員之服務、依照國家

公務人員服務法辦理、

第三百五十六條　本校教職員之保險、依照國家

公務人員保險法辦理、

第三百五十七條　本校教職員之進修、依照國家

公務人員進修法辦理、

第三百五十八條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第三百五十九條　本校教職員之福利、依照國家

公務人員福利法辦理、

第三百六十條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第三百六十一條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第三百六十二條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第三百六十三條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第三百六十四條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第三百六十五條　本校教職員之考績、依照國家

公務人員考績法辦理、

第三百六十六條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第三百六十七條　本校教職員之請假、依照國家

公務人員請假法辦理、

第三百六十八條　本校教職員之服務、依照國家

公務人員服務法辦理、

第三百六十九條　本校教職員之保險、依照國家

公務人員保險法辦理、

第三百七十條　本校教職員之進修、依照國家

公務人員進修法辦理、

第三百七十一條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第三百七十二條　本校教職員之福利、依照國家

公務人員福利法辦理、

第三百七十三條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第三百七十四條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第三百七十五條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第三百七十六條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第三百七十七條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第三百七十八條　本校教職員之考績、依照國家

公務人員考績法辦理、

第三百七十九條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第三百八十條　本校教職員之請假、依照國家

公務人員請假法辦理、

第三百八十一條　本校教職員之服務、依照國家

公務人員服務法辦理、

第三百八十二條　本校教職員之保險、依照國家

公務人員保險法辦理、

第三百八十三條　本校教職員之進修、依照國家

公務人員進修法辦理、

第三百八十四條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第三百八十五條　本校教職員之福利、依照國家

公務人員福利法辦理、

第三百八十六條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第三百八十七條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第三百八十八條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第三百八十九條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第三百九十條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第三百九十一條　本校教職員之考績、依照國家

公務人員考績法辦理、

第三百九十二條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第三百九十三條　本校教職員之請假、依照國家

公務人員請假法辦理、

第三百九十四條　本校教職員之服務、依照國家

公務人員服務法辦理、

第三百九十五條　本校教職員之保險、依照國家

公務人員保險法辦理、

第三百九十六條　本校教職員之進修、依照國家

公務人員進修法辦理、

第三百九十七條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第三百九十八條　本校教職員之福利、依照國家

公務人員福利法辦理、

第三百九十九條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第四百條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第四百一條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第四百二條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第四百三條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第四百四條　本校教職員之考績、依照國家

公務人員考績法辦理、

第四百五條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第四百六條　本校教職員之請假、依照國家

公務人員請假法辦理、

第四百七條　本校教職員之服務、依照國家

公務人員服務法辦理、

第四百八條　本校教職員之保險、依照國家

公務人員保險法辦理、

第四百九條　本校教職員之進修、依照國家

公務人員進修法辦理、

第四百十條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第四百十一條　本校教職員之福利、依照國家

公務人員福利法辦理、

第四百十二條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第四百十三條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第四百十四條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第四百十五條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第四百十六條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第四百十七條　本校教職員之考績、依照國家

公務人員考績法辦理、

第四百十八條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第四百十九條　本校教職員之請假、依照國家

公務人員請假法辦理、

第四百二十條　本校教職員之服務、依照國家

公務人員服務法辦理、

第四百二十一條　本校教職員之保險、依照國家

公務人員保險法辦理、

第四百二十二條　本校教職員之進修、依照國家

公務人員進修法辦理、

第四百二十三條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第四百二十四條　本校教職員之福利、依照國家

公務人員福利法辦理、

第四百二十五條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第四百二十六條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第四百二十七條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第四百二十八條　本校教職員之撫卹、依照國家

公務人員撫卹法辦理、

第四百二十九條　本校教職員之資遣、依照國家

公務人員資遣辦法辦理、

第四百三十條　本校教職員之考績、依照國家

公務人員考績法辦理、

第四百三十一條　本校教職員之獎懲、依照國家

公務人員獎懲法辦理、

第四百三十二條　本校教職員之請假、依照國家

公務人員請假法辦理、

第四百三十三條　本校教職員之服務、依照國家

公務人員服務法辦理、

第四百三十四條　本校教職員之保險、依照國家

公務人員保險法辦理、

第四百三十五條　本校教職員之進修、依照國家

公務人員進修法辦理、

第四百三十六條　本校教職員之待遇、依照國家

公務人員待遇法辦理、

第四百三十七條　本校教職員之福利、依照國家

公務人員福利法辦理、

第四百三十八條　本校教職員之結婚、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第四百三十九條　本校教職員之生育、依照國家

公務人員結婚生育喪葬補助辦法辦理、

第四百四十條　本校教職員之喪葬、依照國家

公務人員結婚生育喪葬補助辦法辦

(Copy translation).

Yokei 25th day of 3rd Month
of 4th year Meiji (May 14th 1871)

Sir

Your Excellency lately made particular enquiry about the young men who were receiving a naval education in the United States both as to the progress they were making in their studies as well as whether they were treated in accordance with their rank and station

I have the honor to send you the accompanying Enclosure bring the reply I received to my enquiries upon this subject from the War Department

You will oblige me much if you will communicate with the proper authority at Washington on this subject

With respect & consideration

(Sgd) Sawa Nobuyoshi
Minister of Foreign Department

To His Excellency
C. E. De Long
Envoy Extraordinary and
Minister Plenipotentiary
of the U.S. of America

Legation Japan

With Despatch No. 190

Subject
Note from Minister
of Foreign Affairs

No 3.

May 14 th 1871

英學出來但通常出來兼候
船具名所　筹術之業出來

右運用航海兼將師學修行為致度候

熊本藩士族
横井久平倅
横井平次太郎

英學
筹術共未熟

右同断

鹿児島藩士族
故有馬新七倅
有馬軒太郎

英學出來但通常出來兼候
船具名処　筹術之業出來

右學校教示方専門

鹿児島藩士族
曽根直之進

英學修行中
天文筹術之業出來

右運用航海術

福井藩士族
上坂文賀之介

右之通り

(Copy Translation) Inclosure.

Gokoi hei ji'taro Yu-ren of Gokoi yumpei of the Kumamoto Han. This person reads English but cannot speak it. He is also acquainted with arithmetic surveying and naval equipments and nautical terms

We desire that this person will instructed in navigation so as to be a naval officer.

Amoia Kantaro son of Amiashuishichi (deceased) of the Kagoshima Han.

This person knows English and arithmetic but not very well. We also wish him to be instructed in navigation and to become a Naval Officer.

Tomeno no shin of the Kagoshima Han

This person reads English but cannot speak it. He is also acquainted with Arithmetic, surveying, naval equipments and nautical terms. We desire that this person should be educated as a Teacher.

Josakutaro no suke of the Fukui Han

This person is about half advanced in his knowledge of English. He is acquainted with Astronomy Arithmetic

and

Buel Runyon
Ex Chairman
Ex Secretary of Legation

Ad Legation Japan

With dispatch No 190

Navy Department,

No 4,

Without Date

Ackd 26 June Dft Pratt

Ed

U.S. Legation Yokohama

Japan May 16th 1871

DEPARTMENT RECEIVED JUN 21 1871 OF STATE

No 191

Hon. C. E. De Long

Envoy Extraordinary &c

Contents.

Announcing the fact that the British Minister Sir Harry S Parkes and the North German Charge d Affairs are en route for Europe via Washington and will most probably seek an interview to discuss Japanese affairs, especially such questions as are of a general nature that will arise next year when all of the Treatys with Japan are to be revised.

Communicating the views of my Colleagues and the Japanese Govmt with regard to revising the Treatys; so far as I have been able to obtain them to this date; also adverting of the views relative to the same subject of Mr Enokema Yamen Prime Minister of Japan.

Adverting of an effort that I believe will be made to obtain the consent of America England France and Holland to waive any

Claim

claim to the unpaid balance of the Simonseky

Indemnity

Advising of my having given notice that my

Government would ~~not further act~~ in July 1872, claim

& ask for a revision of its Treaty with Japan

No 191 Legation Gobernamento

Japan May 17th 1871

Sir.

By this mail two of my Colleagues leave here for Europe on brief absences.

Both will pass through America and both probably visit you at Washington

One of them Baron Von Brandt Charge des Affairs of the North German Confederation has assured me that he would call and if agreable to you discuss Japanese affairs with you to some extent.

The other gentleman is the British Minister Sir Harry S Parkes who will doubtless also avail himself of an opportunity for discussing these matters with you should you feel so disposed

The great subject agitating the Japanese official mind at present is the revision of the Treatys next year.

This subject also is one of very great importance to all powers having treatys with

Hon Hamilton Fish Japan

Secretary of State

Washington DC

Japan and I have not been idle in my efforts to learn the views of the Japanese and my Colleagues relative to this question; and inasmuch as, this question is the one that I presume these gentlemen may undertake to learn your views about I deem it my duty to advise you now of such points of information as I have been able to glean that you may be able to as well judge the situation as themselves.

I have obtained from Mr Von Brandt a synopsis of his views which he evidently intends to urge upon his Government. (Enclosure No 1)

1/191

At a conference of the Foreign Representatives held at the Dutch Legation on the 13th inst. Sir Harry Parkes mentioned the fact that he had discussed the question of the revision of the treaties to some extent with the Japanese Ministers of Foreign Affairs and that one of them (Mr Terashima) had about two weeks previously given him a version of this conversation (as he called it)

He did not mention whether this version was of points that he (Sir Harry) had suggested or that Mr Terashima had; but merely stated that Mr Terashima had advised him that these points

would

would be urged by the Japanese. –

I send you enclosed a copy of first Report as I noted it down from the reading of Sir Harry (Enclosure No 2) 3/

From the well known intimacy of Sir Harry with Mr Terachima I suspect that these points have probably been suggested to the Japanese Minister and will likely not be combatted by the British Minister provided he can obtain the support of his Government.

I have so far carefully abstained from expressing any opinion to either any of my Colleagues or to the Japanese Minister waiting first to obtain more full information from them and secondly hoping to be able to visit and confer with you before I would be called upon to take any action.

I beg leave to state however as a very pleasing circumstance that on the occasion of my recent visit with Mr Iwakura he mentioned this subject, dwelt upon its great importance and informed me that he should probably call upon me for much advice about it. I answered this by letting him that I should be most happy to confer with him freely upon

upon this subject but that I feared that in this
very intent my ideas would be found to be so very
different as to lead him to imagine that I was
unfriendly of Japan. He asked me why and
I replied because it was my settled conviction
that it was the duty and best interest of this
Government to open all of Japan freely to trade
and settlement as other nations did with
whom Japan had treaties. To my great surprise
Mr Enquckness replied that such was his view
This I beg you to remember was in an
unofficial interview conducted on the express
agreement that our conversation was to be considered
as strictly confidential and not to be made use
of as binding either party; hence in reporting
it to you as I feel in duty bound to do I do so
particularly requesting that this despatch shall
not be published or any mention made officially
of Mr Enquckness sayings

In my despatch No 152. I have
attempted to portray to you the position of
certain of the Foreign Representatives as I believed
them to be. In this review I know they have
the co-operation of certain of the Japanese
officials Mr Terashima amongst the number

and

and in this belief I find strong confirmation in this report of the interview between Sir Harry and Mr Terashima. It is therefore with very great pleasure that I am able to assure you that my views which are so directly opposed and support in at least one of the Mikados Counsellors and he too a man of vastly superior ability and power to the Minister for Foreign Affairs.

I have reason also for supposing that Sir Harry whilst absent on leave will attempt to exert influence his Government and with its aid that of France Holland and America to urge any demand for the balance of indemnity due next year from Japan for the Simonoseky affair.

Of course I cannot state that he will certainly succeed this but inasmuch as the Japan Mail a newspaper that I believe to be his organ has repeatedly advised this course I suspect that the articles foreshadow his views and were intended in case such action was finally taken to be used in evidence to Japanese that the British influence inclined to that of Sir Harry above it the Government was indebted for this great favor.

Besides this I know that a release of

this

this Government from that claim would materially strengthen the Credit of this Empire and aid the British loan and Railway undertaking. Hence to effect these things is very desirable to the interests and to those of this people who have so largely advanced to this people and to increase his power with this Government I think I can plainly discern strong motives to influence him to adopt this course.

With regard to this matter I sincerely trust that I may have my views sent ere you shall determine upon any course or commit our Government to any. If it should be concluded on our part to forgo the payment of this sum I trust it will be done as to operate to strengthen our interests and not that of other powers with Japan, and such a result I conceive would be very easy of attainment.

I allude to this matter however not with any purpose of discussing it but merely to advise you of what I presume may be intended by others.

I would very much like to have

you

you and Mr Von Brandt and allow him to explain certain matters to you. I think such an interview would prove at least interesting if not instructive. He is a gentleman with many of whose views I fully coincide, and who can and will willingly explain most matters with which I have been connected from that you may not fully understand from my despatches.

From time to time as I learn more of the views and intentions of this Government in relation to this matter of revising the treaty I will advise you and hope to be able to meet and confer with you before it is necessary to take any positive action with regard to it.

I beg leave to inform you that I have given the Japanese Ministry notice that my Government would ask for a revision of the treaty. This I did to save our right to claim it if desired. Of course if it should not be desired our notice can be withdrawn.

The point I wished to have you will observe by referring to the treaty which provides that either party can have it revised upon giving one years previous notice. This notice not being given might be deemed a waiver of the right

right. I would have conferred with you about giving this notice if I had had time after it was known that it was my intention to have written to you and received a reply before July, which however was impossible.

I trust that in laying this information before you I shall have anticipated your wishes, and that in giving this notice, I may meet with an approval at your hands.

I have the honor to be

Sir

Your most obedient Servant

A. E. De Long

Enclosures

No 1. Signatures of Mr Van Brandt

No 2. do of Mr Tescheruna

Arctic Expedition

U.S.S. Jeannette

Navy Yard

Mare Island, Cal.

July 1, 1879.

Hon. R. W. Thompson,

Secretary of the Navy,

Washington, D.C.

Sir:

I have the honor to report that the U.S.S. Jeannette, purchased under the Act of Congress approved March 3, 1879, for the Arctic Expedition, is now ready for sea, and that I am ready to proceed with her to Yokohama.

Copy this

Memorandum of points suggested by M. Von Brandt. Charge des Affairs of the North German Confederation, as roughly embodying his views in regard to ammendments to be proposed to the Treaty with Japan when revised in 1872.

1st. Revision of the Tariff.

To maintain the five per cent duty on Articles of import and Export.

This principal may involve an augmentation of the now existing duties on Tea and Silks, but a diminution of the duties on many of the articles of import, which now pay more than five per cent would appear to be a very fair compensation to foreign commerce.

The most advantageous course would be to maintain the now existing duties.

2d "

Transformation of the entrance fee now charged on Ships of all classes, to wit- $15.00 " with the clearance fee on the same of

$7.50

4th " visit a tonnage dues.

The now existing system is a highly unjust one. A tonnage dues of from four to five cents a ton / mail steamers & pay half that amount. (which arrangement the Pacific Mail Steamship Co does not object to) would give the Japanese Government an amount in excess of their present receipts from this source.

5th "

Light-House and Harbor dues.

Any reasonable amount not to be detrimental to foreign shipping to be paid to the Japanese Government according to tonnage. Provided the management of the funds so obtained and the supervision of the lights and Harbors is left entirely in the hands of the Japanese, or of an international commission to be paid by the Japanese Government and composed of an American English French and German member. The appointment of Harbor Masters to be left to this Commission under the Japanese Govt.

6th "

Right

Right to travel in the interior and to conduct mercantile transactions there with the Japanese

The adoption of this principle would go far to break through the opposition of the Government to free intercourse between Foreigners and Japanese

As a guarantee against an abuse of this privilege a system of Consular passports to be introduced (to be refused to Missionaries if the Japanese Government should insist upon this)

By the term mercantile transactions is to be understood the buying of Japanese goods not within the vicinity and the making of contracts.

No 5.

Foreign Ships visiting unopened ports

Goods owned by Japanese to be carried in Foreign bottoms between opened and unopened ports subject to the payment of a license of an amount sufficient to meet the expenses of the Government in sending Japanese Custom House officers with them. It appears to be more advantageous not to mention any special ports which may be visited by foreign

Ships

Ships but have the permission given in general terms so as to avoid differences and quarrels between the central Government of the Mikado and the local Government of the Powers, the former being ready favorably to profit by any such treaty stipulations in order to extend its influence and dominion. Coal ports thus to be visited.

6th. Mint Question

The acceptance of the Mexican Dollar as a legal tender also between the Japanese themselves in case the establishment of the new monetary system should not prove beneficial or efficient.

7. Extension of Treaty Limits.

The ten ri limit at Nagasaki to be demanded.

8. Permission to foreigners to acquire real property.

Within certain reasonable

2 or 3 ri around the open ports perhaps
in some of the silk growing provinces and
in the Japanese towns in the places open
to foreign Commerce.

9. Municipal Questions.

The recognition by the treaties of
the right of the foreign Municipalities either
singly or conjointly with the Japanese
Authorities to impose taxes upon their
Constituents for municipal purposes.
and the recognition by the Government
of the right of the foreigners to superintend
the expenditure of these monies as well
as to regulate conjointly with the local
Japanese authorities the internal affairs
of the foreign settlements

10. Drawbacks

To be introduced 12 months as in China

11 Bankha

The lower duty at present

ri

in force only at Nagasaki to be introduced at all of the Ports with a full description of what Benseha means so as to prevent the Chinese from smuggling: or the abolition of this lower duty also at Nagasaki

13. Navigation of Rivers.

To be obtained for foreign owned Steamers from Osaca and Neagata to a certain distance in land.

14. Services by the Authorities

The interior Custom Houses between the Foreign and Japanese settlements as well as all other taxes imposed to favor the Shoshu and other institutions to be abolished

15. Christian Question

To be left entirely alone

16, Establishment of a Mixed Court:-

Legation in Japan

With Despatch No 191

Memorandum of points made by Mr Brandt.

No 1

Without date

Memorandums of points suggested by the Japanese Ministers to Sir Harry S Parkes as reported by him to the Foreign Representatives in Conference May 13th 1871

No 1

The treatys to be all in the same form if possible to be easily understood. They intimated that they proposed the present Austrian Treaty as a draft—

No 2.

Clearance and entrance fees to be abolished and a tonnage dues substituted Also light-dues to be provided for

No 3.

An Article to be added providing for indemnifying the Government for expenses incurred in rescuing ships wrecked crews and preserving property

No 4

Since the Yedo Convention Japanese vessels have been allowed to trade freely with

with foreigners. The Government by ancient decrees has prohibited Ships since that Article must be revised

No 5.

Opium prohibition Article to be revised.

No 6.

The tittle of foreign Sovereigns has been pretty nearly settled, but it is desirable to make further alterations. The text of the Articles in the treaty should be settled and the matter of titles made definite The Sovereigns name to be written Tenno Taicun instead of Tycoon Dunca.

No 7

The Trade Regulations to be revised No Amendments suggested but some definitions required.

No 8

The treaty are made entirely for foreigners coming to Japan and the only stipulation

stipulation for Japanese going abroad is that a diplomatic agent may reside in the Capital. In these things the same powers to be inherent in both and after the question has been examined equal and concurrent ~~jurisdiction~~ powers should be the language of the treaty.

No 9.

Should like to add an article prohibiting foreigners from carrying goods within Japan (supposed to mean a reservation of the Coasting Trade

No 10

A Revision of the tariff of import and export duties will be demanded

No 11

An arrangement for regulation of the different ports required (supposed to mean the regulation of Municipalities).

Am Legation Japan

With Despatch No 191

Proposals by Japanese Ministers of Amendments to Treaties.

No 2

Without Date

Mr Adee

Acknd 22 June Wrote

Legation Yokohama

May 17th 1871

192
No 42 194

DEPARTMENT OF STATE
RECEIVED
JUN 21 1871

From C E De Long

Envoy Extraordinary and Minister Plenipotentiary

Contents.

Acknowledging receipt of Despatch No 67.
and advising you of my proceedings thereon.

No 192 ~~174~~ 192 Legation Yokohama

Japan May 17th. 1871

Sir.

Acknowledging the receipt of your despatch No 67 with the Commission of Mr E E Rice as Consul at Hakodadi enclosed. I beg leave to advise you that by the same mail I received a Letter from Mr E E Rice appointing his son Nathan Rice as Vice Consul at that port; whereupon on the 25th. of April last (the day of the receipt by me of your despatch) I addressed an order to Mr Deane suspending him from his position and directing him to at once deliver the office and its archives and property to Mr Nathan Rice as acting Vice Consul (Enclosure No 1). 1/192

On the same day I addressed a Note to Mr Nathan Rice advising him of my suspension of Mr Deane and of his appointment and my approval of it, directing him at once to take possession and enter upon the discharge of his duties (Enclosure No 2) Also upon the same day I 2/192 addressed a Note to His Excellency the Minister Hon Hamilton Fish for Secretary of State

Washington D C

for Foreign Affairs inclosing the Commission of Mr C E Rice for examination and requesting Their recognition of him as Consul and Mr Nathan Rice as Vice Consul. (Enclosure No 3)

3/192

On the 29th of April last I received a reply from Their Excellencies complying with my request and forwarding at once to instruct their local authorities at Hakodadi to govern themselves accordingly. (Enclosure No 4)

4/192

On the day of its receipt I advised Mr Nathan Rice of the fact. (Enclosure No 5)

5/192

I venture to hope I shall approved

I have the honor to be

Sir

Your most obedient Servant

C E Derling

Enclosures.

No 1. Order Suspending A/Cons

No 2. Do directing Mr Nathan Rice to take charge as Acting Vice Consul

No 3. Note to Ministry of Foreign Affairs asking their recognition of Mr C E Rice as Consul and Mr Nathan Rice as Acting Vice Consul at Hakodadi

No 4. Mr Excellencies reply

No 5, Letter to Nathan Rice advertising

Mr of the nature of this reply.

Japan May 14th 1871

E E De Long

No 192

Geo Enclosures

Received

Suspension of Mr A C Dunn
approval of appointment
of Mr Nathan Rice as acting
Vice Consul. Recognition
of Japanese Authorities obtained
of Mr E C Rice as Consul
and Mr Nathan Rice as acting
Vice Consul

(Copy) United States Legation
No 115. Yokohama Japan April
28th 1871

Sir"

Under instructions recently received by me from the Hon the Secretary of State it becomes my disagreeable duty to suspend you from the position that you occupy as United States Consul at Hakodada

Instructions to this effect were received by me last month and I then issued a similar order to this directed to you requiring you to transfer your office with its archives to C O Shepard Esq whom I had selected to relieve you.

Mr Shepard from illness was unable however to proceed to Hakodada and in fact had no opportunity to do so.

Thus this matter remained until to day when our mail arrived bringing further advices from the Hon Secretary of State, namely that Mr E C Lee had been appointed Consul for Hakodada E C Dunn Esq Enclosing

Consul. Hakodada

Japan

Enclosing me his Commission and directing me to apply for his Exequatur which I have done.

In view of these facts you are hereby directed and required upon the receipt by you of this dispatch to transfer and deliver to Mr Nathan Rice all of the books, papers, archives and property of every description of that Consulate including its Seal, Flags &c to your temporary successor in office taking his receipt therefor; and from such date desist from Exercising any and all duties of an official nature at that port as Consul of the United States of America.

I am further directed to enquire into and investigate the charges preferred by you against Mr C C Rice with regard to his Connection with the Barque Cayatte and also about his land claim at Hakodade.

Also I am directed to enquire into your official conduct at that port.

Any Evidence that you may have collected bearing upon either of these points or any that you may desire

to

to furnish hereafter I shall be pleased to receive as I shall also call upon Mr Nathan Rice for such proofs, as he may be able to supply me with relative to the same matters.

I have the honor to be

Sir

Your most obedient Servant

C C De Long

Delegation Japan

With Despatch No 192

Within enclosing Mr
A C Adams.

No 1

April 25th 1871

(Copy)

No 117 United States Legation
Yokohama Japan April 25th 1871

Sir.

Your Father Mr E E Rice having been duly appointed and Commissioned United States Consul at the Port of Hakodada in Japan and his Commission forwarded to me; and he having nominated you as acting Vice Consul in charge at that Port until his arrival at his post of duty; I have to advise you that I have this day issued an order to Mr A L Gunn United States Consul at that Port directing him to surrender to you as acting Vice Consul and as his temporary successor said office with all of its goods effects archives and property including its seal and flags, immediately upon the receipt by him of said order.

You are hereby duly directed and empowered by me as Acting United States Vice Consul to demand and receive the said office with all of its aforesaid property and effects from A L Gunn Esq receipting to him therefor; forthwith upon the receipt by you of

Nathan Rice Esq these

Acting Vice Consul

Hakodadu Japan

these presents, and to exercise the duties of United States Vice Consul at that Port until the arrival of Mr C C Rice or until otherwise directed

I Have also been directed that I should investigate certain charges preferred by Mr A C Dunn against Mr C C Rice relative to the question of the title of Mr Rice to the lands in Lot 61 at that Port, and further I have been directed to enquire into the official conduct of Mr A C Dunn whilst at Hakodadi.

You are respectfully requested to procure and forward Mr Dunn at your earliest convenience after assuming the duties of your said office all evidence upon either and all of these points that may be obtainable by you

I have the honor to be
Sir Your most obedient Servant
C C De Long

Consulate Japan
Hakodadi Sept 22 1872

Sir I have the honor to acknowledge the receipt of your letter of the 19th ultimo directing me to assume the duties of Vice Consul at this Port

No 2
Sept 22nd 1872

(Copy) United States Legation
No 116 Yokohama Japan April 25th 1871

To His Excellency
The Minister for Foreign Affairs
&c &c &c

Your Excellency.

Under instructions from the Hon the Secretary of State of the United States I have to advise you of the appointment and confirmation of Mr E E Rice as United States Consul at Hakodada vice Mr A C Stevens removed.

I herewith enclose to you his Commission of Mr Rice for your examination and respectfully request of Your Excellency that you will at your earliest convenience cause an exequatur to Mr Rice and forward it to me.

I beg leave further to advise you that Mr E E Rice has nominated his son Mr Nathan Rice as acting Vice Consul at Hakodada to act as such until his arrival at his post of duty; this nomination

I

I have approved and have directed Mr A L Dunn Consul at that port to transfer said office with all of its effects and perquisites to Mr Nathan Rice as acting Vice Consul

I have further to request of your Excellencies that you will at your first convenience order and instruct your local authorities at Hakodada to recognize officially Mr Nathan Rice as acting United States Vice Consul then in charge until the arrival of Mr E E Rice. With respect & consideration

I have &c

C E De Long

Envoy Extraordinary and Minister Plenipotentiary of the United States of America in Japan

United States
Legation Japan

Respectfully
forwarded for
approval
Respectfully
Yours
C E De Long
Envoy Ext & Min Plen
of the United States
at Yedo Japan

Yedo Sept 7 1871

(Copy of Translation) Yokohama 9th of 3rd Month 24th year Meiji
24th of April 1871

His Excellency
Sir Harry Parkes
Minister for Japan.

Sir.

I have the honor to acknowledge the receipt of your dispatch of April 25th 1871 informing me that Mr A C Dixon the US Consul for Hakodadi has been withdrawn from the Office, that Mr C E Rice has been appointed in his stead and that Mr Nathan Rice is ordered to assume the charge of the Consulate until Mr C E Rice's arrival at that port as acting Vice Consul

The above will be speedily notified to the local authorities at that Port.

I have the honor to be
Sir Your Most obedient Servant
Sawa Sami
Minister for Foreign Affairs

Enclosure

No Legation Japan

With dispatch 192

Letter recognizing Mr Nathan Rice as acting Vice Consul at Yokohama during absence of Mr E S Rice as Consul thereat

No 4

April 28th 1871

第十八号

千八百七十一年第四月廿五日附貴翰落手然者今般ライ、ライ大民ヲ箱館在留貴國領事ニ被命右御委任状馮被差示且副領事エー、シ、ドン、氏免職セラレ候旨及ヒライ大民箱館港へ到着迄、同氏之子息ナサニテライ大民依二代辨副領事被任候趣等御申越委曲承諾致シ候右之趣箱館官有一速ニ可申通候此段回答如此御坐候以上

明治四年
辛未三月九日

外務卿澤宣嘉

米利堅合衆国特派全權公使
チヤールスイデロング
閣下

(Copy) United States Legation

No 123. Yokohama April 29th 1871

Sir.

I have the honor to inform you that in reply to my Letter notifying the Minister for Foreign Affairs of the Empire of the appointment of your Father Mr E E Rice as Consul at Hakodada vice Mr A L Dunn removed and of your appointment as acting U S Vice Consul at that Port- and requesting the issuance of the usual notice of recognition; that I have this day received a Letter from His Excellency recognizing Mr E E Rice as U S Consul and yourself as acting Vice Consul at that port- and assuring me that notice will at once be forwarded by them to their local authorities at that place directing them to do likewise I have the honor to be

Sir

Your most obedient Servant

E E De Long

Nathan Rice Esq

U S Consul

Hakodada Japan

~~The Legation Japan~~

With dispatch 192

Letter ordering Nathan Rice of this Georgia Territories acting Vice Consul at Yokohama by the Japanese Authorities

No 51

April 29th 1871

Enclosure
Acknd 22 June
W Post

W Legation Yokohama
Japan May 19 " 1871

DEPARTMENT OF STATE
JUN 21 1871
RECEIVED

193
No 62 Pols

Hon E E De Long
Envoy Extraordinary and
Minister Plenipotentiary

Sir

Acknowledging receipt of Despatch No 62 and reporting contain other pending Questions relative to the Amakusa Island affair.

No 193 ~~No 6~~ 193 Washington Yokohama

Japan May 9th 1871

Sir

I have the honor to acknowledge the receipt of your Dispatch No 62. and to inform you that I at once executed your instructions therein contained by addressing Mr Mangum Consul at Nagasaki an official letter adverting to you instructions (Enclosure No 1)

7/193

Indulging in the hope that my letter advices on this subject will satisfy you that I executed your instructions as I understood them and that at least I am not guilty of any wilful disobedience, I will defer any other or further reply until I hear further from you.

The Governor of Nagasaki having informed Mr Mangum that he had never received any notice from the Yedo Government that the order of prohibition was rescinded, and that his

Excellency

Hon Hamilton Fish

Secretary of State

Washington D C

Excellencies having verbally requested me that at once upon agreeing to forward such orders as might have been given or answers received, by replying admitting the receipt of the orders, I requested them to advise me by letter of what they had done; this request they complied with by sending me a Note stating what orders had been sent and when forwarded. (Enclosure No 2) 2/193

By this I am able to serve to you the settlement of this affair temporarily upon the basis that I had formerly advised you of.

I take the liberty of enclosing a printed slip (Enclosure No 3) from the Nagasaki Express 3/193 receiving this question. Coming as it does from English sources it is at least not partial to me and I trust will therefore assure you that by all classes of foreigners the course of this Government in this matter was condemned.

I have the honor to be

Sir

Your most obedient Servant

C E De Long

Enclosures

No 1. Letter to Mr Mangum

No 2. Letter from Japanese Minister

No 3. Extract from Nagasaki Express.

Japan May 19th 1871

C. E. De Long

No 193.

Received.

Ans Enclosures.

Admt Yamakuchi

Island Affairs

(Copy)

United States Legation

No 114 Yokohama Japan April 25 1871

Sir.

I am in the Secretary of State has by telegram advised me of his disapproval of my course with regard to the recent difficulty about Amakusa Island. He expressly disapproves of my order to you directing you to notify American Citizens that they might visit that Island under the protection of our Government notwithstanding the order prohibiting them from so doing issued by the Japanese authorities; and he further directs me to inform you; and further says that "you will receive instructions from this Department to notify the Citizens of the United States at Nagasaki to pay respect to the order of this Government excluding them from the Island of Amakusa".

The fact that no order of that kind now exists under it perhaps is unnecessary for you to take any further action than you have already done viz to request them not to visit that Island until the ratification of the treaty limits

Willis P Mangum Esq now

U.S. Consul, Nagasaki Japan.

now pending and unsettled shall be
adjusted.

You are you will be governed strictly
of course by the instructions that you may
receive from the Hon Secretary and if you
think for the notice than the one you have
already given should be published
you will proceed to do so; but I trust that
in discharging this duty you will in view
of the different state of facts existing now
from what was known to the Hon Secretary
when these instructions were issued, pursue
such a course as will as far as possible
avoid exhibiting to the Japanese authorities
the fact that any disagreement about this matter
exists or has existed between either of ourselves
and the Hon Secretary; as I confidently hope
that upon the receipt of my late dispatches
upon the subject he may somewhat more
nearly agree with us in what we have done;
at all events I feel confident that inasmuch
as all trouble about this is already over;
and as the Japanese authorities are about
to act acknowledging the justice of
my demands, which met with the

Concurrence

circumstance of all of my Colleagues, that the Navy Secretary would not view with any action to be taken that would avoid past results so nearly attained, even although he might still continue to disapprove of the method pursued by me for their attainment.

I trust therefore that you will use your best judgement in carrying out your orders to execute the same as nearly as possible in accordance with their views.

I have the honor to be

Sir

Your most obedient Servant

D. D. Porter

No Legation Japan

With despatch 193,

Letter of Instruction
to Consul Mangum

No 1.

April 25th 1871

(Copy Translation) Yokei May 4th 1871

His Excellency
C. E. De Long. Envoy Extraordinary &
Minister Plenipotentiary

Sir:

I have the honor to inform your Excellency that in consequence of the order having been issued at Nagasaki forbidding foreigners from going to the Island of Amakusa the question the question of determining the precise boundaries of the treaty limits of that Port has arisen

That this question is settled you have ordered your Consul to notify American residents at that port to abstain from going to that Island unnecessarily, and you have also advised us the order our local authorities at that port not to put the order forbidding the visits of foreigners to that Island into execution until the same time. We sent orders to that effect to Nagasaki last year, as you advised us to do, but now being informed by your Excellency that the local authorities have not received it when spoken to about it

by

Ms Legation Japan

With dispatch No 193.

Letter from Minister for Foreign Affairs, advising me of the instructions given by them to the local authorities at Nagasaki about foreigners residing Onaknsa

No 2

May 4th 1871

追而御機嫌伺旁御挨拶申上候

猶御意如斯御坐候以上

明治廿年
三月廿六日

外務卿澤宣嘉

来刻呈合衆国特派全権公使
チヤーレス、デロング
閣下

右決定前ハ同縣於テモ布告面之趣施行不致從前之

振合ニ致シ置候樣御說諭ニ付某段首肯中回縣ニ申

述置候處某後責國領事ヨリ右儀同縣ヘ被問合

候處一向心得不申旨同縣於テ相答候由此程御談話

ニ付前縣之趣昨日之船便ニテ更ニ同縣ヘ申遣旦右行

第二十三号

以手紙致啓上候然者外國人天草島へ

遊歩之儀差止方布告書長崎縣於ニ差出候儀

ハ

行分論相生ニ同島將遊歩朝程門外之儀決定迄猶

國人交ゝ參樣同縣在留領事ヘ御申遣可被成ニ付

Johann Hans 9
Buchmeyer, inf
Oberstleutn 193

Nagasaki News.

From the Express.

In our issue of the 4th February, we made a few remarks respecting the action taken by the native authorities prohibiting foreigners from visiting Amakusa. The course they adopted at the time met with the approval of some of the foreign representatives at Yedo, and has no doubt done much to curtail the advantages obtained by the American citizens, who, we hear, have also been forbidden to go there. As all nationalities are now placed upon an equality, we are disinclined to cavil at the facilities temporarily afforded to the Americans; especially as those who have obtained permission to work coal mines in the island, have shared the privileges which they succeeded in obtaining with the subjects of other nations, so that so far as individual Americans are concerned they must be acquitted of any desire on their part to acquire preferential claims, or forestall their neighbours in obtaining access to the numerous rich prizes in which Amakusa is known to abound.

However, it is much to be regretted that Japanese obstructiveness is allowed to interfere with foreigners visiting the island; and as the objections raised have never been made public, it is not surprising many persons view the movement as a retrograde one, especially as they have a precedent in the opening of Takasima. As the public are in ignorance of what the objections really are, it is not to be wondered at that surmises are abroad that prohibition is actuated solely by a desire on the part of the authorities to control this business in anthracite coal, and that the foreign representatives are unwittingly assisting them in obtaining the object they have in view, by taking steps which virtually prohibit foreign capital from being employed, as men of business are not likely to furnish money to carry on mining unless they are able to exercise some control over the works.

Failing to secure foreigners' money, the natives have recourse to the Chinese, and have already done so very recently; for we learn that some enterprising Cantonese have determined to open a mine, and have made an agreement with some natives, who have granted the Chinamen privileges more or less vague; and in order to fulfil their part of the agreement, the Celestials have engaged the services of an English Superintendent, in whose name the mine will be worked. The capital agreed to be advanced by the Chinamen is the very moderate sum of $1,000. The smallness of the sum is calculated to excite suspicion, and as it is insufficient to carry on the works, there is little doubt that further calls will have to be made on John Chinaman, who will either have to advance a great deal more money or lose that already advanced.

The barbarous custom the Japanese have of trampling on the cross has been very recently observed in Higo, in which province we learn that an edict has been posted, informing the peasantry and certain other classes that they will, in future, be periodically required to perform this ceremony, or in default of doing so incur severe punishment.

No Legation Japan

With dispatch No 193.

Extract from Nagasaki Express

No 3.

Dispatch

Adgm 21 Rec'd 22 June 1874 Mr Pratt

Legation of the United States

194 Japan May 20th 1874

No 194 ~~176~~

Sir

I have

the Envoy Extraordinary and

Minister Plenipotentiary

Contents.

Forwarding certain correspondence showing the final termination of the Dallas and Craig matter.

No 174 176 Sir. Legation Japan

194. May 20th 1871

Sir.

I beg leave to advise you that on the 17th inst I received a Note from Sir Harry S Parkes advising me of the result of the trial of the Japanese who attempted to assassinate Messrs Dallas and King in Yedo.

(Enclosure No 1)

Sir Harry kindly enclosed to me herewith a copy of a Proclamation just issued by the Japanese Government relative to the same subject.

(Enclosure No 2.)

I immediately replied thereto complimenting Sir Harry upon the successful result of his labors and also requesting my views relative to the Proclamation

(Enclosure No 3.)

I have the honor

Hon Hamilton Fish Sir

Secretary of State

Washington D.C.

1/194

2/194

3/194

Sir

Your most obedient Servant

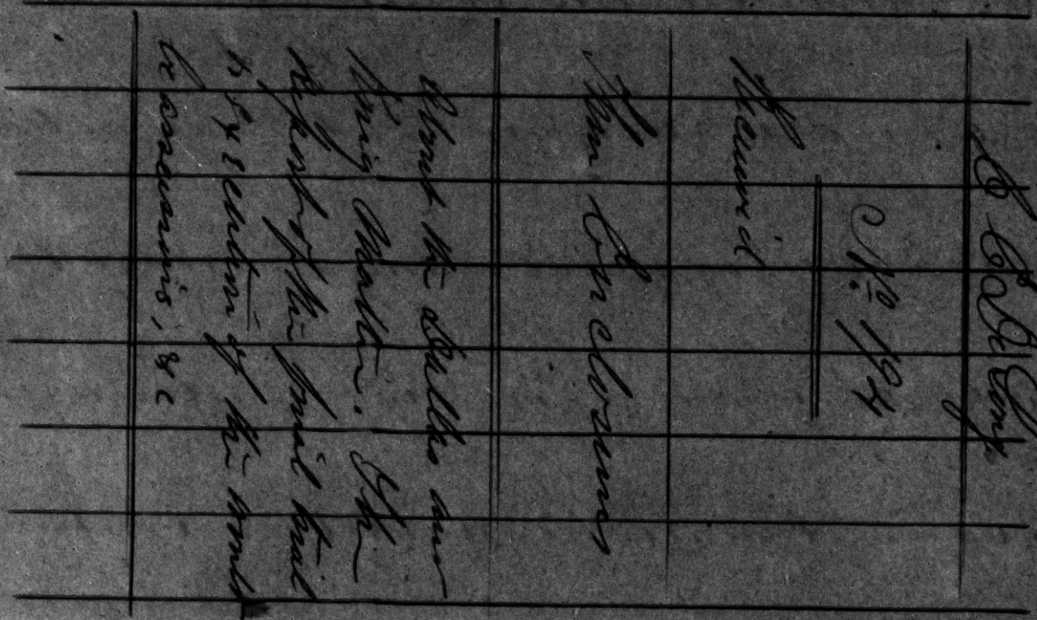
C. B. De Long

Enclosures

No 1. Letter of Sir Henry S Parkes

No 2. Proclamation of Government

No 3. Note addressed by me to Sir Henry S Parkes



H. B. M. Legation

Yedo. May 17. 1871.

Sir

I have the honor to inform you that the proceedings in the matter of the murderous assault committed upon two British subjects, named Dallas and King, on the main street of Yedo on the evening of the 13th January last, have terminated & that two Japanese of the military class, severally named Higo Tōshichi and Katō Kinkichi, have been convicted of an attempt to murder, and a third man of the same class, Kurokawa Tomojirō, of having been accessory to

The Hon^ble

&c

H. E. de Long

&c — &c — &c

the crime. All three have consequently been sentenced, under Japanese law, first to degradation to the common rank and then, the two former to strangulation and the latter to penal servitude for ten years.

These sentences have been delivered, and, as the case of the two men first named, have been carried out this morning. The Japanese Secretary of this Legation was present when the sentences were passed, and he verified the bodies of the two men condemned to death, immediately after their execution. The sentences have already been made known in the annexed Proclamation of the Supreme Government which was at once posted

at

or arrival of the bridges and other public
places in Yedo and which will be
published throughout the Empire, as
the manner in which the decrees of
Government are usually notified.

I do not doubt that the interest
you have taken in this case, as bear-
ing upon the question of the safety
of all foreigners in this country
will lead you to view with satis-
faction the good faith which I
consider has been shown by the
Japanese Government in bringing
the offenders to justice and visiting
their crime with exemplary punish-
ment.

I have the honor to be

Sir,

Inclosure in Mr. Thornton's Dispatch No. 194

Legation of the United States
Yokohama 4th April

With Despatch 194

Letter of Sir Harry S Parkes & C. de Long detailing result of trial of the would be assassins of Dallas & King.

No 1.

Dated May 17th 1871

Copy

Proclamation

Translation

On the night of January 13th certain persons wounded some English men in Nabeehin Kanda. Vigilant search was made for them, and having been arrested, they have been punished in the manner shown in the annexed documents.

Intercourse with foreign nations is a matter of the highest moment, and His Majesty has therefore issued repeated proclamations on the subject. That such acts should be committed in spite of them not only involves the credit of the Government, but is a disgrace to the country.

Every measure must be

Mr Legation Japan

Mr Th Dispatch No 194

Proclamation of
the Government

No 2

Dray 29th 187-

No 136. United States Legation

Yokohama Japan May 17th 1871

Sir

Acknowledging the receipt of your my kind dispatch of this date advising me of the result of the trial of the persons engaged in the attempt to assassinate two of your Countrymen in Yedo (Messrs Dallas and Ring); And also enclosing to me a copy of a Proclamation issued by the Japanese Government to its people in justification or explanation of their proceedings and presuming that the persons who have suffered were doubtless guilty of the offences of which they were convicted, I beg leave to tender to you my sincere congratulations upon the result of your patient and energetic examination into this affair.

The happy coincidence of being able to thus end your present labors in this field, by an action causing summary justice to be visited on those who had struck at Sir Harry S Parkes K.C.B. the H.B.M. Envoy Extraordinary and Minister Plenipotentiary in Japan.

the laws of your Country in aiming at the
lives of two of your Sovereigns Subjects,
forms indeed a pleasant conclusion, and
one of which you may well feel proud.

Regretting sincerely as all must do
the cruel fate of these men; punished so much
in excess of the punishment for such an
offence as known to our laws, yet I feel sure
that from this punishment the good use of
greater security to foreigners in Japan has
been drawn which must ripen into a welcome
harvest of more enduring order.

It has been well been written that it is
not the severity but the certainty of punishment
for crime that deters most effectually the evil
doer from his purpose and makes most respect
Laws and Governments. I would wish
therefore that this Government that has in this
instance shown itself so resolute active and
just would learn the truth of this principle
and in the future temper its justice with more
of mercy.

I beg to assure you that I am very
much pleased with the Proclamation issued
by the Government assuring to its people
the

the means for its action in this matter.

By that we are guided officially to know the high regard that is now put upon friendly intercourse by this government, and we observe an assertion of governmental dignity that I think augurs well for the future; besides being an assurance to all that this Government has the power as well as the desire to do justice done

I improve this opportunity to renew to you my assurances of my high respect and consideration

I am Sir
Your most obedient Servant
C. C. De Long

U.S. Legation Japan

With dispatch 194

Sec'y of Legation Long
to Sir Harry S. Parkes

No 3

Dated May 20th 1871

— but he has left Washington some weeks ago. Any aid or advice that
can be will cheerfully given June 21 Mr. Bates
Ans 22 June Legation Yokohama
195 Japan May 21 1871
Hon
Elder Levy
Envoy Extraordinary &c

DEPARTMENT OF STATE RECEIVED JUN 21 1871

Contents.

Enclosing a request from the Minister of Finance Department that you should aid them in selecting two competent Assistants to aid them Government in the Administration of its Financial affairs and in the Collection of its Customs

No 195-74 Legation Yokohama
195- Jayfem May 21st 1871

Sir.

The intended conclusion of the Customs system of this Empire and also their internal revenue system has led me to address Their Excellencies The Ministers of Finance to employ a couple of competent Assistants in those two departments

Having communicated them of the necessity for those things they have applied to me to select such persons.

I have replied to the effect that I was not allowed to recommend any of the Citizens of any country to any position of trust or profit under this Government but at the same time I advised them that I would endeavour to enlist your services to secure two proper persons.

But I required them to address me a Note making this request a matter of record.

Their Excellencies have complied

Hon Hamilton Fish with

Secretary of State

Washington D C.

with my request by sending me the note
which I received this morning. (Enclosure No 1)
1/195 The note was accompanied by a
2/195 Memorandum Enclosure (No 2)
They advised me verbally that Mr
Sato the Vice Minister of Finance now in
Washington would be fully empowered
to make all necessary arrangements as
to salary &c
I beg leave to urge upon your
attention the great importance that this
request bears in several ways.
It bespeaks a growing confidence
in our people and I hope you will observe
that it also bespeaks friendly relations
existing between the officers of this
Government and myself.
It is very much desirable that
some of the foreign employees of this Empire
should be American for let this position
be what it may they are brought into such
constant contact with Japanese officials
that if they are kind intelligent and
patriotic they can insensibly strengthen
this Legation and assist in advancing
the

rapidly growing feeling of good will
for our people and Government that is
extending throughout this Empire

It is my earnest desire that by
your direction a couple of gentlemen may
be engaged who will be able to educate
those people in those departments so
thoroughly as to involutionize their present
systems and place their affairs on a
basis of such prosperity as to cause them
to thank me for the advices I have given
them.

I would like that persons should be
selected who would in all matters where
they might profitably do so support this
Legation in its efforts to extend and
promote American influence and who
to some extent at least would accept
advice from it

They should come provided with
some books upon laws, Custom House
Manuals &c and be men of thorough
Education and experience in revenue
matters.

I presume Mr Yeats will more fully
advise

advise you as to what is required but I wish
Earnestly to respect a candid selection
I am aware that this is a very novel
and perhaps unwarranted application
for me to refer to you but I trust that you
will comprehend my motive and
observe it and that you will kindly
lend your aid to secure from your most
Extensive acquaintance a couple of men
who will reflect credit on you and upon
our country for I assure you that the United
States Navy are called to labor in is one of great
interest and importance
What I think they really require
is a Board to establish a Customs System
and another to administer it having great
Experience in those matters. I cannot
really understand that they want men for
anything else for as they have no States
prisons Empire and their system of internal
taxation is so primitive I do not really
think that they desire any assistance about
framing an internal revenue Code, but
however Mr Ts will be able more fully to
explain this. Three
men

must bargain closely for just what pay and privileges are stipulated will be allowed and no more. Hence all particulars as to pay Horse hire, travelling Expenses &c must be particularly arranged to avoid disputes.

I would recommend especially to you that men of age as well as experience be selected, that they should be men of ~~mature~~ matured judgments; who will be patient and careful in their labors; and who should enter upon their duties with hearts single to the interests of Japan

I will write Mr Pruyn by this mail advising him that I have addressed you upon this subject, and I hope that you will either personally or by some person whom you may name co-operate with him to avoid the possibility of his employing improper persons.

I have the honor to be

Sir

Your most obedient Servant

C. E. De Long

Enclosures

No 1 — Letter from the Minister

Japan May 21st 1871

C. E. de Long

No 195

Received

Two Enclosures

Asking payment in
Relieving two Employes
from the Financial Department
and Customs Department

Explanatory.

Memorandum accompanying
No 2. Memorandum
Chief Letter

記

一高压物税 一页

一附征税方法 一页

合二页

4 of 4 Months Treaty

21st May 1871

Hon C. E. De Long

Envoy Extraordinary & Ministr Plenipotentiary

of the U. S. America

Sir

We have the honor to write your Excellency that our government being desirous to engage three of your citizens — one skilled and experienced in the law of taxation & the other in the law of customs, as in the annexed paper, it will order Ito-Okra Shoū, who is now in your country to make direct application to the proper officials in your government to engage them, they are to be employed for instructing our people. We also desire it will be made known to your government through your Excellency

so

So that it will give aid to the proper
authorities to assist Us in engaging
them

With respect & Consideration

Date Okuma Kio

Okuma Sango

Do Legation Japan

Yokohama No 193

Aug 21 1871

Received May 21 1871

One of the citizens, who is excelled and practiced in the law of taxation in commerce &c &c

One, Excelled & Experienced in the custom house business

U.S. Legation Japan

With Despatch No 195

Memorandum

No 2,

No date

Copies to Adm Pow 21 ackd 22 June Batt

Legation Japan

May 21st 1871

No 196. ~~195~~

Sir

I have

the honor

to transmit

herewith

Copies of

Correspondence

with

Sir Harry S Parkes

Envoy Extraordinary &c &c

Contents.

Transmitting two communications
one from Sir Harry S Parkes and one from
Mr Von Brandt - informing me of
their leave for Europe, of whom they had
left in charge, and extending the usual
compliments

No 196 ~~No 196~~ U.S. Legation Yokohama

Japan May 21st 1871

Sir

I beg leave to enclose you a copy of a Note received by this day from M. Von Brandt informing me of his intended departure for Europe on to morrow on leave of absence and of his having left the Holland Minister in charge of the affairs of the North German Confederation in this Empire (Enclosure No 1) 1/196

Also a similar Note from Sir Harry S Parkes informing me that Mr Adams would remain as Chargé d'affaires in Japan for Her Britannic Majesty. (Enclosure No 2) 2/196

I beg leave to refer you to these notes as evidence of the cordial relations that I have continued to hold with these gentlemen and of my strict observance of the co-operation in the stores

I have the honor to be

Sir your most obedient Servant

C E A de Long

Hon Hamilton Fish

Secretary of State

Washington D C

Yokohama May 21. 1877

Rec'd June 25

No 196.

Two Enclosures

Recommending that
Rear Admiral Pierce in charge
of the Asiatic Station
about to leave for
Japan

(Copy) Gotham the 20th of May 1871

Sir.

I intending to leave for Europe on leave of absence on the 22nd instant I have the honor to inform you that His Netherlands Majestys Minister Resident Mr le Chevalier van der Hoeven will kindly take charge during my absence of the affairs of the Mission of the North German Confederation

Allow me at the same time to profit of this opportunity to thank you for the assistance I have always received from you as well as for the cordial relations which have always existed between us

I have the honor to be Sir
Your most obedient Servant
A Bancroft

The Hon Hamilton Fish
Secretary of State
Minister Plenipotentiary
of the United States

Enclosure

No 1

Legation in Japan

No 196 dispatch

No 1

Letter of Mr Wm Brandt

dated May 20th 1871

Copy. H. B. M's Legation

Yokohama May 20th. 1871

Sir

I have the honor to inform you that having been granted leave of absence by my Government I intend to take my departure from this Country on the 22nd. instant

Mr Adams Secretary of Legation will act as Her Majesty's Chargé d'affaires during my absence

I avail myself of this opportunity to tender to you my best thanks for the cordial co-operation and valuable assistance which I have at all times received from you, and which I beg you will extend to my successor

I have the honor

to be Sir

Your most obedient Servant

Harry S. Parkes.

H. E. De Long Esq

&c &c &c

Enclosure

Delegation Japan

With despatch 196

Letter of Sir Harry S Parkes.

No 2

Dated May 21st 1871

Encl to Pratt
ante E.P. Smith O.K.

Dup Pratt.

Legation Yokohama
Japan June 6th 1871

No 197.

From
C. E. De Long
Envoy Extraordinary &c

DEPARTMENT OF STATE RECEIVED JUL 24 1871

Contents.

Advising of the commencement in this Ministerial Court of three certain actions at law wherein one Georg Wilkens Lake is Plaintiff and Willis P Mangum US Consul at Nagasaki is Defendant- and in one of which actions Mr Dent- former US Marshal is a Defendant.

Transmitting copies of Plffs Petitions in each case as also copies of the Demurrers thereto filed by Defendants.

Also transmitting copies of certain letters between Plffs Counsel and myself and asking for instructions

No 197. Legation Yokohama

Japan June 6th 1871.

Sir

I have the honor to advise you that on the 26th of April last one Geo. Wilkens Sole as Plaintiff filed in my Court his Petition at Law against Mr Willis P Maugum Colonial at Nagasaki as Deft. (Enclosure No 1) 1/197

This petition as you will observe charges the Defendant with having abused his powers as Consul whereby the Plaintiff was caused to suffer loss and damage in the sum of Fifteen Hundred dollars for which sum judgment is prayed for by the plaintiff

The petition being duly verified and Costs of Court having been paid by Plaintiff. I issued a Summons directed to the Defendant requiring him to appear and answer said said petition within twenty days after service of the same upon him (Enclosure No 2) 2/197

Hon Hamilton Fish This

Secretary of State

Washington DC

This Summons having been duly served
and returned the Defendant on the 23rd
of May appeared in said action by
filing in Court a Demur to the Complaint
of Plaintiff (Enclosure No 3)
3/97
Also on the 26th of April
last the said George Wilkins Lake
as Plaintiff filed in my Court and the
Petition at Law against William P
Mangum and L M Dent Defendants
charging them with the offense of
false imprisonment and demanding
a judgment for damages in the
sum of Five Thousand Dollars
4/97 (Enclosure No 4)
In this action I also issued
a summons as in the last case mentioned
which having been regularly served the
Defendant Dent on the 20th of May
last answered by Demurring thereto.
5/97 (Enclosure No 5)
On the 23rd of May the Defts
Mangum also appeared and joined issue
in said action by Demurring to the
6/97 Petition of Plaintiff (Enclosure No 6)

On

On the 23rd of May last the said George Wilkins Lake filed in my Court another petition at Law against said Willis P Mangum charging him with having uttered and published certain libellous statements affecting him and asking a judgment in damages against the said defendant for the sum Twenty Five Thousand Dollars (Enclosure No 7) 7/197

Mr Mangum being present at this Legation when this last Petition was filed, waived the issuance and service of Summons in said action and appeared therein by filing a Demurrer to Plaintiffs Petition (Enclosure No 8) 8/197

Inasmuch as in all of these actions the question of the jurisdiction of this Court was raised the same as it was in the action of Einstein Bros et al vs Samuel Lyon and others reported to you by me in despatches Nos 30 of the 21st of March 1870 and No 52 of the 20 of May following, and inasmuch as I

I had never been advised by you that my action in that case was approved. I determined before proceeding further with any of these actions to communicate all of these proceedings to you and ask for instructions.

I should not have entertained any doubts relative to my line of duty but for your silence with regard to the Smitten case which was followed by the receipt by me from you of the New Consular Regulations which provide in paragraph 433. Page 100. as follows "The power "of commencing civil and criminal "proceedings is vested in Consular "Officers exclusively"

As this paragraph might have been intended as a reply to the Smitten despatches I regarded it as being prudent at least to advise with you before proceeding especially as the good of the service here my seem that I should not exercise any doubtful powers over our Consular officers who are subject to be frequently harassed by similar actions to these, and who feel that it is

not

not within the purview of the law that they should be subject as Consuls to any superior officer directly but themself and who also claim that their power for good with the Japanese officials will be materially affected if they may be constantly sued and brought into any Court by persons who from time to time they have to punish to enforce obedience to our laws and treaty obligations with Japan.

Having received by person this communication I addressed a letter to Mr Hill P.M.Gs Atty advising him of my determination. (Enclosure No 9.) 9/19/97

On the following day I received a note from Mr Hill entirely and cordially approving of my determination to report these cases to you before trying them. (Enclosure No 10) 10/19/97

On the same day I replied to Mr Hill thanking him for his communication. (Enclosure No 11) 11/19/97

On the 28th of May following I received somewhat to my surprise a note from Mr Hill demanding on behalf of Mr Lake an immediate

Trial

12/97. Trial of all of these causes (Enclosure No 12)
in which Note I replied on the same
day receiving the papers assigning by
him over refusing to comply with his
13/97. demand. (Enclosure No 13)

This correspondence I have reported
to you to place you in possession of all the
facts in connection with this case should
Mr Lake make a complaint to you against
me as I have been informed that he
declared he would do

If it should be your opinion that
it is my duty to try these causes and not
dismiss them, I should feel deeply obliged
to you if you would go further and give
me your views with regard to the questions
of law raised by the Demurrs as some
of them are difficult to determine without
access to a law library.

If there is any authority you could
refer me to in passing upon the demurr
to the libel actions I would thank you
for it, as I have no books treating upon the
subject of libel.

I have the honor to be Sir
Your Most obedient Servant
C E D Long

Enclosures.

No. 1. Petition of G. W. Lake

No 2. Summons

No 3. Answer of Defts Mangum

No 4. Petition of Lake in Case of Lake v Mangum & Dept

No 5 Answer of Defts Dept

No 6. Answer of Defts Mangum

No 7. Petition of Defts Lake in Libel Suit

No 8. Answer of Defts Mangum

No 9. Note of C. E. De Long & G. W. Hill

No 10 Reply of Mr Hill Endorsing my views

No 11. Reply of De Long & Hill

No 12. Demand of Mr Hill for immediate trial

No 13. Reply of De Long refusing this

Japan Jan 6 1871

C C De Long

No 197.

Marine Engineers

Reciver,

Reporting certain actions having been commenced in this Ministerial Court by G W Lake against Miller P Wangum & L Madsen & enclosing Law instructions

In the Ministerial Court of the United States

for Japan

Yokohama Japan

April 1871.

Before

His Excellency Charles E. De Long.

Envoy Extraordinary and Minister

Plenipotentiary of the United States to Japan.

George Wilkins Lake

Plaintiff

agst

Willis J. Mangum

Defendant

} Petition

The Plaintiff George Wilkins Lake respectfully

shows to this honorable Court as follows.

1st That the Defendant was at the time

of the injuries hereinafter complained of, and

now is the United States Consul for the port

of Nagasaki in the Empire of Japan.

2nd That on the 7th day of April 1869, the said Plaintiff and R. S. McClosky of said Nagasaki made an agreement together, to submit certain differences, then existing between them, respecting a certain Flour Mill to the arbitration of J. W. Smith and Johannas Brunier, giving to the said arbitrators power to select an umpire and further agreeing to submit to the award of said arbitrators and umpire in the said premises; And that John Maltby was selected as such umpire by the said arbitrators.

3rd That while the said differences were pending before the said arbitrators, and the said Umpire and before any award had been made under the said agreement of submission to arbitration as afore

said

said to wit, on the 15th day of April 1869. the
defendant wilfully and maliciously in-
tending to injure the plaintiff and by virtue
of his authority as United States Consul at
aforesaid, interfered to prevent an award being
rendered by said arbitrators and said um-
pire and wrongfully and illegally issued
and directed an order from the United States
Consulate at said Nagasaki to the said umpire
John Mallby directing the said umpire to
withhold giving an award under the said
submission to arbitration; whereby the said
arbitrators and said umpire were for a long
period prevented from giving such award
and whereby the plaintiff was for a long
time prevented from having his claim in
said premises decided and from receiving
the amount of money to which he was entitled
therein

Therein, And whereby the plaintiff was subject
ed to an action for damages against him
in the Consular Court of the United States
at said Nagasaki, and was put to great
loss, expense trouble and inconvenience
and otherwise subjected to great injury to
his damage Fifteen hundred Dollars.

Therefore the plaintiff prays this
Honorable Court for judgment against the
said Defendant for the sum of Fifteen
hundred Dollars and for the costs of this
action, with such other and further relief
as may be just on the premises.

(Sd) C. W. Hill.

Counsel & Attorney

for Plaintiff

United States }
Yokohama } ss

G. F. Hill, being first duly sworn on oath says, that he is the duly authorized Attorney of the Plaintiff in the foregoing entitled action, that he has read the foregoing petition and knows the contents thereof, and that he is informed and verily believes the said petition is true, and that the reason that this petition is verified by this Affidavit, is, that the plaintiff named in said petition is now absent from Yokohama.

(Signed) G. F. Hill.

Subscribed & Sworn to before me at Yokohama this 26th day of April 1871 (Signed) L. E. Seeley
Envoy Extraordinary &
Minister Plenipotentiary
of the United States in Japan

With despatch No 197

Petition of G W Lake in action against W P Mangum to recover the sum of Fifteen Hundred Dollars

No 1

Dated April 1871

120

United States Legation

Yokohama Japan April 26th 1871.

To Charles L Fisher

United States Marshall for

Japan at Nagasaki

You are hereby commanded &

directed forthwith after the receipt by you

of the annexed copy of Petition and Sum-

mons in the action entitled George

Wilkins Lake vs Willis P. Mangum &c

make due service of the same upon the

said Defendant by delivering to him

personally a true copy thereof and

return the same to this Court within

twenty days from the date of its re-

ceipt by you, with your proceedings

thereunder indorsed in writing hereon

Herof fail not &c

Given under my hand and the seal

of this Court this the 26 day of April

A.D. 1871. (sd) M. H. De Long

Envoy Extraordinary and

Minister Plenipotentiary

of the United States of America

to Japan

No. 2 & 3

In the Ministerial Court of the United States for Japan.

Yokohama Japan

April 1871

George Wilkins Yates

Plaintiff

vs Summons

Willis P. Mangum

Defendant

The People of the United States.

To Willis P. Mangum.

Defendant

You are hereby required to appear in an action brought against you, by the above named Plaintiff, in the Ministerial Court of the United States for Japan, and to answer the

Petition filed herein, within Twenty (20) days (exclusive of the day of Service) after the Service on you of this Summons or judgement by default will be taken against you, according to the prayer of said Petition

The said action is brought to recover the sum of Fifteen (15) Hundred Dollars, the plaintiffs damages alleged by him to have been suffered by him by reason of the wrongfull act of the said defendant, in staying a certain arbitration, pending between the Plaintiff and one R. J. McClaskin, about May 1869. and more particularly set forth in the said Petition a copy of which is hereto annexed and for costs of action.

And you are hereby

notified, that if you fail to appear and
answer the said complaint, as above
required, the said Plaintiff, will take
judgement against you, for the said
sum of Fifteen (15) Hundred Dollars
and costs as aforesaid

Given under my hand, and
seal of the Ministerial Court of the
United States for Japan, at Yokohama
Japan, this 26 day of April A.D. 187[illegible]

(Sd) E. E. De Long
Envoy Extraordinary
& Minister Plenipotentiary
of the United State
of America in Japan

U.S. Legation Japan

With dispatch No 197.

Summons & order of Service, Writ in action entitled Lake vs Mangum

No 2

Dated April 26th 1871

In the Ministerial Court of the United States for Japan.

Yokohama, Japan.

May 23 1871.

Before

His Excellency Charles E. DeLong

Envoy Extraordinary and Minister Plenipotentiary

of the United States to Japan.

George Williams Lake

Plaintiff

vs

Willis P Mangum

Defendant

And now comes the Defendant

Willis P. Mangum and demurs, 1st to

the jurisdiction of the Court, as having

no original civil jurisdiction. §27 - 861

2nd That the Petition fails to state

any cause of action because it does
no matter that is not error of judicial
judgement if there be error at all,
for which no action lies.

3rd That a full explanation of his of-
ficial action in this matter has been
rendered to the Department of State
and accepted as satisfactory.

Therefore the Defendant
prays the Honorable Court that the
action be dismissed

(Sdg) Willis P Mangum
Defendant

Yokohama May 23. 19

I hereby certify that the within
Demurrer was this day served upon
Plaintiff J W Lake by delivery to his

Attorney G. W. Hill a true copy thereof

and showing to him the original

May 24/71. (sd) H. C. Denson

U S Marshal

U.S. Legation Japan

With despatch No 197.

Summons of Dft Brougher
in the Action to recover
the sum of Fifteen
Hundred Dollars

No 3.

Dated May 23rd 1871

FCP

In the Ministerial Court of the United States for Japan. Yokohama April 1871.

Before

His Excellency Charles E. De Long

Envoy Extraordinary and Minister Plenipotentiary of the United States to Japan.

George Wilkins Lake

Plaintiff

against

Willis P. Mangum &

L. M. Dent

Defendants

Petition

The plaintiff George Wilkins Lake respectfully shows this Honorable Court as follows

1st That the said Defendant Willis P. Mangum was at the time of the injuries herein after complained of, and now is United States Consul at the port of Nagasaki in the Empire

of Japan. And that the said defendant L. M. Dent at the time of said injuries was acting United States Marshal at said port of Nagasaki; And that each of said defendants are citizens of the United States.

2nd That on the 13th day of April 1869, at the said port of Nagasaki in the Empire of Japan the defendant W. P. Mangum wilfully and maliciously conspiring and intending to injure the plaintiff, wrongfully maliciously and illegally and without any right or authority so to do, and against the will of the plaintiff ordered, directed, and authorized the said defendant L. M. Dent to arrest and imprison the plaintiff, and that in said day, and at said place, the said defendant L. M. Dent acting under such order and by the authority of said defendant W. P. Mangum, gave

as aforesaid, wrongfully illegally and by force compelled the plaintiff to go with him to the jail there situated, and there imprisoned the plaintiff and there detained him and restrained him of his liberty for the space of twenty four (24) hours, whereby the plaintiff was put to great pain trouble disgrace and inconvenience, and was prevented from attending to his necessary affairs and business during that time & was compelled to expend the sum of Sixty five Dollars and fifty cents in costs of obtaining his discharge to his damage = Twenty five hundred Dollars.

3rd That on the 14th day of May 1869 the said defendant W. S. Mangum wilfully and maliciously intending further to injure the plaintiff and without any right to

authority aforesaid, and against the will of the plaintiff, again ordered, directed, and authorized the said defendant L. McDermott to arrest and imprison the plaintiff and that on said day and at said place, the said defendant L. McDermott acting by and under the order and authority of said defendant W. P. Thompson, given as aforesaid, wrongfully, illegally and by force, again compelled the plaintiff to go with him to the jail there situated and there imprisoned the plaintiff and there detained him and restrained him of his liberty for the further space of Twenty four (24) hours; whereby the plaintiff was put to still further pain, trouble and inconvenience, and was further prevented his necessary affairs and business during that time and he was compelled to expend

the further sum of Sixty six Dollars and fifty cents in cost in obtaining his discharge to his further damage Twenty five Hundred Dollars.

Therefore the plaintiff prays judgement from the court against the said defendants for the sum of Five thousand Dollars, his said damages, with the costs of this action and for such other relief as may be just in the premises

(sdg) L. W. Hill

Counsel & Attorney

for Plaintiff

Empire of Japan)

Yokohama) ss.

L. W. Hill, being first duly sworn on oath says, that he is the

duly authorized Attorney of the plaintiff
in the foregoing entitled action that he
has read the foregoing petition and knows
the contents thereof, and that as he is in-
formed and verily believes the said
petition is true; And that the reason
that this petition is verified by this
affidavit, is, that the plaintiff named
in said Petition is now absent from
Yokohama

(Sgd) G. W. Hill

Subscribed and Sworn to
Before me at Yokohama this
21 days of April 1871

(Sgd) Le. Ed. De Long
Envoy Extraordinary and
Minister Plenipotentiary
of the United States of America
in Japan

In The Ministerial Courts

The United States for Japan

Yokohama, May 20th 1871.

Before

His Excellency Charles E. De Long

Envoy Extraordinary & Minister

Plenipotentiary of The United States

to Japan.

George William Lake Plaintiff

against } Petition

Willis P. Mangum and

L. M. Dent Defts }

Now comes the defendant

L. M. Dent and demurs as much that

the law provides that original jurisdiction

rests with Consuls and the defendant here

in named, not being at any time Consul

places the above action out of the jurisdiction

Inclosure

Min Legation Japan

With Despatch No 197

Dimmon of Dpt Dept

No 5

Dated May 20 1871

The Secretary of State

(Sd) C. E. Dennett

In the Consular Court of the United States for Japan.

Yokohama Japan.

May 23rd 1871.

Before

His Excellency Charles E. De Long

Envoy Extraordinary and Minister

Plenipotentiary of the United States to

Japan

George Wilkins Lake

Plaintiff

vs

Willie P. Mangum

Defendant

And now comes the Defendant

Willie P. Mangum and demurs

1st To the jurisdiction of the court as

having no original civil jurisdiction

2nd That the petition fails to state a cause of action, because it charges no matter that is not error of judicial judgement, if there be error at all, for which no action lies.

3rd That a full explanation of his official action in this matter has been rendered to the Department of State and accepted as satisfactory.

Therefore the Defendant prays the honorable Court that this action be dismissed.

(sdg) Willie P. Mangum

Defendant

I hereby certify that I have this day served the within Demurrer on G. W. Lake by delivering to his Attorney

I. N. Hill a true copy thereof and
showing them the original
Yokohama Japan
May 24/71
(Say) H. W. Lunson
H. E. Marshall

Legation Japan

With Despatch No 197.

Summons of Supt Mangum in the action for false imprisonment against Dunt & Mangum.

No 6.

Dated May 23: 1871

In the Ministerial Court of the United States for Japan. Yokohama, Japan

May 20th 1871.

George Wilkins Lake

Plaintiff

against Petition

Willis P. Mangum

defendant

The above named plaintiff George Wilkins Lake complaining of the defendant Willis P. Mangum respectfully shows the court as follows.

1st That the said defendant was at the time of the injuries herein after complained of, and now is Consul for the United States at the port of Nagasaki in the Empire of Japan: and is a citizen of the United State of America.

2nd That on the 7th day of July last past the defendant falsely wilfully and maliciously composed, wrote and published, of and concerning the plaintiff, in a certain letter addressed to the Hon. H. Fish Secretary of State of the United States of America, the false and defamatory words and matter following = That is to say "These two letters of the brothers Lake (meaning two letters written by this plaintiff, and Edward Lake his brother, and forwarded to the said Hon H. Fish Secretary of State) "all most villanous perversions of the truth." (meaning thereby that the plaintiff had in his said letter deliberately and wilfully lied, for his the plaintiffs private benefit and

purpose and of, about, and concerning the defendant, and with intent to wrong and injure the defendant = and meaning that the plaintiff was a liar and a villain)

3rd Third And the plaintiff says that on the said day the defendant falsely wilfully, and maliciously, composed wrote and published in his said letter of and concerning the plaintiff the further false and defamatory words and matter following viz. "The defendant" (meaning the plaintiff) "Contumaciously refused to comply with the judgement" (meaning the judgement of the Consular court of the United States at Nagasaki in Japan) "and obey the orders of the court (meaning

the said Consular Court - and meaning thereby that the plaintiff was a bad and lawless person, and had wilfully set the law of the United States at defiance)

4th And the plaintiff says that on said day, and in his said letter the defendant further falsely and maliciously composed and published of and concerning the plaintiff the further false and defamatory words and matter following viz "Under such circumstances the idea that Lake" (meaning Edward Lake aforesaid) "was compelled by me" (meaning the defendant) "to sacrifice four hundred dollars" (meaning that Edward Lake had in the letter written by him and heretofore referred

to, written and charged that he the said Edward Lake had been compelled by the defendant to sacrifice four hundred Dollars" is so glaringly preposterous, that it could only have originated in the distempered imagination of such a creature as Edward Lake or his brother" meaning the plaintiff = and meaning thereby that the plaintiff was unsound in mind and insane, and that he had wilfully invented a falsehood, and had lied about the defendant, and meaning that the plaintiff was a person unfit to associate in good society or with men of honor, and that he was devoid of decency and respectability).

5th And the plaintiff says that on

said day and in his said letter the defendant further falsely and maliciously composed and published of and concerning the plaintiff the further false and defamatory words and matter following that is to say: "This man Dolman and Lakes" (meaning the plaintiff and Edward Lake) "were intimate friends and companions, and among such characters here the Lakes" (meaning the plaintiff and Edward Lake) "appears to find their most congenial associates; all of them" (meaning the plaintiff and all his associates) "birds of the same feather, men of low instincts and associations, ignorant, suspicious, heads strong and lawless, frequently getting

into difficulties, and never hesitating to pervert the truth to suit their purposes (meaning thereby that the plaintiff was a thoroughly bad disreputable, dangerous, and dishonorable person; and one who should be avoided and shunned by every one; and that he the plff was utterly devoid of honor or respectability, and that he was an habitual liar and law breaker)

6th And the plaintiff says that on said day and in said letter the defendant further falsely and maliciously composed and published of and concerning the plaintiff the further false and defamatory words and

matter following to wit = "G. W. Lake"
(meaning the plaintiff) "by his laws
licenses, forfeited several years ago
his right to reside in Japan (vide
treaty art VII Sec 8) and only by sufe-
france and he remains here" (meaning
that the plaintiff was without the
pale & protection of the laws of the
United States, and had in Japan
no legal rights which any person
was bound to respect) "the forbear
ance that has been exhibited to
him" (meaning the plaintiff) "in
not having the law enforced and
allowing him" (the Plaintiff) "to re-
main in the country" (meaning
the forbearance of the defendant,
and that the plaintiff had been
permitted by the defendant as

a favor to remain in Canada" in
consideration of his "(the plaintiff)
"youth, with the hope that more age
and experience would teach him"
(the plaintiff) "to correct his evil pro-
pensities, he has proved himself
utterly incapable of appreciating.
If that justice had been dispensed
to him, he" (the plaintiff) "would
have been deported long ago" meaning
thereby that the character, and pursuit
of the plaintiff were wholly evil, scan-
dalous, and lawless, and that the
plaintiff was wholly incapable and
deficient of moral understanding
or ability to appreciate friendship
or kindly feeling, and that he was
utterly unworthy of being assisted
or beforwarded, or of the respect

of good and worthy citizens and subjects residing in Japan)

6th And the Plaintiff says that on said day & in said letter the defendant further falsely & maliciously composed & published of and concerning the plaintiff the further & false & defamatory words & matter following to wit:- "Co" (meaning the Plaintiff) was also implicated in smuggling in an unopened port in the Spring of 1867." (meaning thereby that the plaintiff was an outlaw & a criminal & had violated the laws of the United States against smuggling.)

7th And the Plaintiff says that by means of the publication of the words & matter

as aforesaid he was injured in his reputation to his damage twenty five Thousand Dollars ($25,000)

Wherefor the Plaintiff prays judgement against the Defendant for the said sum of $25.000 & for costs of this action with such other and further relief as may be just.

Sdgs G. W. Hill
Plff's Counsel & Attorney

Empire of Japan
Yokohama

George Wilkin

Sake being first duly sworn on oath says that he is the person named as Plaintiff in the foregoing petition; that he has read the said Petition

and knows the contents thereof;
and that the same is true of his own
knowledge, except as to those things
therein stated on information and
belief & that as to those things he
believes it to be true

(Sdg) G. W. Lake

Subscribed & sworn to before me at Yokohama
this 23 day of May 1871

(Sdg) E. C. Shepard
U. S. Consul at Yedo
Acting for Kanagawa

Enclosure.
No 1 Signature of Captain
Britt Chapman No 194.
Petition of G. W. Lake
in Admiralty for Libel
No 1.
dated May 23rd 1871

In the Ministerial Court of the United States for Japan.

Yokohama Japan

May 24th, 1871.

Before

His Excellency Charles E. DeLong
Envoy Extraordinary and Minister
Plenipotentiary of the United States
to Japan.

George Wilkins Lake

Plaintiff

vs

Willis P. Maugum

Defendant

And now comes the Defendant
Willis P. Maugum and demurs

1st To the Jurisdiction of the Court
as having no original civil jurisdiction

2nd That the Petition fails to state

~~a cause of action because it charges~~

but
no matter, that contained in an official
dispatch explanatory of Defendants
official action regarding the Plaintiff
that was forwarded to the State Depart
ment and accepted as satisfactory, which
being an official report made in the line
of official duty to an official superior
can under no circumstances be con-
sidered as libellous, and no action
at law can lie therefor

Therefore the defendant prays
this honorable Court that this action
be dismissed

(Sd) Willie P. Mangum

Defendant.

I hereby certify that I have this day
served the within Demurrer on G.W.

Take by delivering to his attorney G. N. Hill
a true copy thereof and showing him the
original Yokohama

May 24/871.

(sd) H. W. Denson
U.S. Marshal

US Legation Japan

With Despatch No 197

Summ of Dft Marquis
in Libel action

No 8.

Dated May 24th 1871

6

Yokohama May 22/71

My dear Sir

Having just returned home from a walk I received your cover containing a Petition in duplicate of an action intitled Lake vs Mangum for $2500.00 damages. Also your letter asking me to file it and enclosing ($25.) Twenty Five Dollars.

In the two cases previously commenced Mr Mangum has filed Demurs and sent to the Marshal for service on you.

We cannot understand why the Marshal has failed to give you both copies

In this last action that you have just commenced Mr Mangum says that he will also appear and file

a Demurrer or answer within a few days waiving Summons, Thus saving time & costs

I have concluded that the proper course for me to pursue is to take the advice of the Secretary of State in all these actions upon the jurisdictional questions at issue before I hear or try them

These having been approved in the (Winston) Chairman case, the clause in the new Regulations averring that all original jurisdiction is vested in Courts, and the further consideration that if I should be wrong in entertaining these suits it would cause great loss and expense for nothing which would fall upon your client causes me to pursue this course which will cause a delay of but a few months and then no doubt will

will remain upon my mind as to the course it is my duty to pursue.

I trust this course will prove satisfactory to Mr Lake and Yourself

Yours Respectfully

(Sgd) C. G. D. Long

G. W. Hill Esq

P. S. I return you the sum of Ten Dollars enclosed

Inclosure in paper

With despatch No 97.

Letter of C E De Long
& G W Hall No 1

No 9.

Dated May 23rd 1871

Yokohama Japan

May 2nd 1871.

Dear Sir

Your note of to day on the matter of the Lakes several actions is at hand.

I quite appreciate the course you have indicated as that you will take in the matter as to procuring advice from the Lake Department

It is to us a painful case and an important matter to us and one in which it is very desirable to proceed without error.

I have myself no doubt as to the Municipal Court being the proper Tribunal for its adjudication

Yo. De Long

Envoy &c Plenp &c

and that the regulations of the State
Department on which the defendants rely
in their demurrer cannot be held
to annul the act of Congress of Jun
22 1860. yet as there is room for a
question your course is certainly
a wise one.

The necessary delay which
will necessitate injury & loss
on the plaintiff whose enforced
absence from Nagasaki subjects
him to continued loss and damage
but I dont know what suggestion
to make in the premises that will
relieve him.

Do I there understand that
you will not decide on the question
of jurisdiction until you can hear

from the Department! For Judge
of course Mr Mangum will take a
like course as to the last institution
action

Dear Sir

Very Respectfully

Yours &c

Edg [illegible]

U.S. Legation Japan

With Despatch No 197

Letter of G. F. Hall
Approving of my resolve
to submit the proceedings
to you for advice before
trying these cases.

No 10

May 24th 1871

Victoria May 14th 91.

My dear Sir

I am favored this morning
at Lands. I am much pleased
to know that you agree with me
in relation to the course I propose
to pursue in the case against
Mr Monagan.

The delay is unfortunate
it is to be much regretted, but it could
not be better borne by us all
than the constant feelings of anxi-
ety & pain by which we and
each upon our minds & that would
these actions without asking for these
advices

I shall pursue the same course
with all those of the cases

Your very Truly

(Sgd) [illegible]

C J Hill Esq

U.S. Legation in Japan

With dispatch No 197

Edes Long to Mr
Gr Hall. in reply

No 11

May 24th, 1871

Yokohama

January 6th 1887.

Re C. Jas. K. Hayama et al.

Dear Sir

I am in receipt of your communication of the 23rd inst informing me that you have concluded that in the several actions pending in the U.S. Ministerial Court in which C. J. Lake is plaintiff & you are counsel it will be to take the advice of the Secy of State upon the jurisdictional questions at issue before you hand down them.

I yesterday informed you that to myself also this seemed advisable

H. E. Chas. E. De Long
Envoy Extr & Min. Plen.
of the U.S. to Japan

But I am also instructed by my
client Mr Lake to ask for a hearing
on the Demurrer filed in the cause
at as early a day as possible
and I desire to present to you his
view of the case.

Mr Lake thoroughly appreci-
ates the suggestion that the question
involved a very important ones, as
well as the interests involved large
and that it is very desirable to conduct
these proceedings without Error; and
he quite coincides in all that can be
said on these points; but at the same
time the delay which will be occa-
sioned by awaiting ad-
vices from Washington will be to him
a very great hardship, as for various

reasons, he cannot return permanently to Nagasaki where lie all his interests until the adjudication of these cases. He would be thus subjected to great & continued expense and loss of both time and money by the postponement.

It is believed that as a matter of right the plaintiff is entitled to a hearing on the questions of law involved and a decision thereon without delay.

It is perfectly understood on our part how sincere you are in the principles of law to which you can look for your Government, in the consideration of these questions, & we appreciate the difficulty in which you are placed under the inadequate system of your practice

and that has a definite regulation
or guide at your disposal. Now
fact exists, but it is in a judicial
capacity & that only that an appeal
is made to you for relief, and hence
the question as one simply of legal
practice is the plaintiff not entitled
to a decision from your Court upon
such lights and authorities as you
may possess? This is certain.

The plaintiff appeals to a
judicial tribunal the Ministerial
Court of the United States. That Court
has taken cognisance of his actions
which are now pending before it; &
in the conduct of these actions the
plaintiff can only be guided by the
usual & common & ground legal
practice

It is not believed that the State Department at Washington can Entertain an appeal or review the action of this court. & can in any case & Later exercise judicial functions. but even were that so - would there be any good reason for the supreme court in which a question is pending to delay its adjudication until advices could be had from the superior tribunal?

The vital importance of these questions to the plaintiff Mr Lake will I trust excuse me urging and earnestness his own in regard

I enclose herewith on behalf of Mr Lake a brief for the reasons of the demurrer filed in the action

E. L. Rutledge vs Hill & Wife et al

Defendant.

Sam Sir

Very Respectfully

Your Ob. St. Svt

(Sdg) G. W. Hill

Counsellor at Law

and Atty for Plff

Enter Augt 11, 1874

Hill & Wife Ans

Answering Amended &

Supplemental Petition

Filed in Open Court

Feb 12.

Dated May 28th, 1874

81

Tehuantepec

May 26th 1871.

My Dear Sir

I have received your
Letter of this day's date requesting an
immediate trial of the Damaren case
the case of Lake v Mangam & Dent
which demand is made at your
State at the instance of your client
I have only to say in reply
that whilst I regret that the course
I have been prepared to adopt may
cause your client some inconvenience
or delay, I shall however adhere
to my determination of conferring
with any superior officer before I hear
this or either of these causes, confident
that this course is a proper one to

to secure justice and avoid errors.

I cannot see however how any act

bearing these cases at present can

in any way prevent your client

your proceeding to Augusta and

conducting any business there or

elsewhere as he ought to do if the causes

were tried

There is nothing in these cases

the determination of which one

way or the other would affect his

personal liberty or his pursuit of

his ordinary business.

I am confident that he will

agree with me as well as yourself

(when you reflect) that it is proper

for me to advise with the Hon. Secy

of State at all that it is my duty

to do so before I hear their answers and
not afterwards. To do so subsequently
would be very absurd

Yours very Respectfully

(Sd) C. C. DuLong

C. W. Hill Esq.

U.S. Legation in Japan

With Despatch No 197.

C. E. De Long to Min-
ly W. Hill. refusing
to comply with his
demand.

No 13

Dated May 26th. 1871

Ask. for Ack.

Mr Pratt

The Legation of Yokohama

Japan. June 6th 1871

No 198.

Hon

C. E. De Long

Envoy Extraordinary &c

Contents

Acknowledging receipt of Despatches Nos 68 to 74 inclusive, and also of Brightly's Digest.

No 198 U.S. Legation Yokohama
Japan June 6th 1871

Sir

I have the honor to acknowledge the receipt by the last mail of your dispatches Nos 68. 69. 70. 71. 72. 73 and 74. with their enclosures. Also the receipt of two volumes of Brightly's Digest of the laws of the United States.

I have the honor to be Sir
Your most obedient Servant
C. E. Dr Long

Hon Hamilton Fish
Secretary of State
Washington D.C

Japan June 6th 1871

C. E. de Long

No 198.

Recvd.

Acknowledging
receipt of Dispatches
& 2 vols Brightleys
Digest.

No 199. Acknd 24 July Comply 1. 11. Mr Pratt

United States Legation

Yokohama Japan June 6th 1871

Sir

I have the honor to enclose herewith Copy of Extraordinary &c

Contents.

Application for Stationery.

Advising of the inferior quality of the last supply received and also advising of non receipt of Audubons Books of Engravings.

No 199. Legation Yokohama
Japan June 6th 1871

Sir.

I beg leave to advise you that I am entirely out of despatch paper and have been for some time past.

In anticipation of receiving a supply as requested I have borrowed of our Consulate at this place until no more can be spared.

The box of Stationery received by me some months ago contained but very little of this kind of paper and what was in it was of very inferior quality.

In that box was a large amount of unruled heavy paper and finished small paper all of which is quite useless to me.

I have also exhausted my

Hon Hamilton Fish Stock

Secretary of State

Washington D C

stock of Despatch Envelopes
of the smallest size and also
of plain Letter Envelopes

I respectfully request to be supplied
herewith

I have the Honor to be
Sir
Your Most obedient Servant
C. E. De Long

Fort Reno D.T. 1871

Lieut. C. E. De Long
Co "G" 1st Cav.
Reno D.T.

Application for
Stationery. Address
Fort Reno D.T. by the
next U.S. Courier &c

Extract ackd 24 July to Pratt

Legation Yokohama

Japan June 12th 1871

No 200

Frm. C. E. De Long

Envoy Extraordinary and

Minister Plenipotentiary

Contents.

Acknowledging receipt of Letter of Credence as

Envoy Extraordinary and Minister Plenipotentiary

Reporting proceedings had in communicating it to

the Japanese Government

Also proceedings of Audience with the Mikado

Forwarding copies of Speech made by De Long

in delivering the Letter and that of His

Majesty in reply.

No 200 United States Legation

Yokohama Japan June 12th 1871

Sir

Acknowledging the receipt of your dispatch No 71 of date the 18th day of April A.D 1871 enclosing to me a Letter from the President to His Majesty the Mikado of Japan accrediting me to His Majesty as Envoy Extraordinary and Minister Plenipotentiary I beg leave to inform you that, at once upon its receipt by me I forwarded to Their Excellencies the Ministers for Foreign Affairs of this Empire a copy of the same and requested an audience with His Majesty to deliver the original to

Hon Hamilton Fish Sec

Secretary of State

Washington DC

him in person.

My request was at once granted and the ninth of this month fixed as the date for the audience.

On that day the audience was held at which time I delivered the Letter of The President to His Majesty in person accompanying my action with a brief

1/20 speech (Enclosure No 1)

His Majesty was gracious enough to receive the Letter from my hands rising from his throne and advancing as he did so in deference and respect for the President- and then replied to my remarks in a speech

2/20 (Enclosure No 2) to which I refer you with my much pleasure as evidencing His Majestys very kind feelings for the President- and in proof of the kind relations

relations that I am fortunate enough
to hold personaly with the Government.

After the audience His
Excellency the Chief Minister for
Foreign Affairs assisted by numerous
other officers of the Empire entertained
myself and suite at the Government
House at Kamrogoten in Yedo.

The following is a list of the names
and rank of the persons composing my
suite at the Audience and the banquet
16 Yeshiro. Acting Secretary of Legation
Willis P Mangum Lieut at Nagasaki
60 Shepard Lieut at Yedo
George E Rice Acting Vice Consul at Yedo
Lieut Commander J C Watson U.S.N. commanding
U.S. Idaho. Paymaster W J A Sorbert
U.S.N. Lieut F A Lyon U.S.N. P A Surgeon
J R Lyon U.S.N. Master A B Speyers
U.S.N

Asst. Marin. J. B. Robinson USN.

and A. A. Surgeon. J. C. Painter USN.

I have the honor to remain

Sir

Your most obedient Servant

C. E. De Long

Enclosures.

No 1. Speech delivered by Mr De Long

No 2. Reply of His Majesty thereto.

勅答案

今般貴國大統領ヨリ特派公使ヲ以テ汝ヲ雇
理公使ニ全權ヲ使ニ進メ我
國ニ在留セシムルノ旨ヲ報セラルルノ
旦大統領ノ誠信懇篤ノ意ヲ領シ朕
大ニ之ヲ欣フ朕固ヨリ汝ノ勉勵能
其職ヲ盡シ其命ヲ辱カシメサルヲ
信ス自今以後両国ノ交誼益以親密
ナランコトヲ祝ス

Zinkeds Skuch.
Johannes Just.

(Copy
Translation)

Reply of H M the Semeo.

I have received the Letter of the President of the United States informing me that he has promoted you from the office of Minister Resident & that of Envoy Extraordinary and Minister Plenipotentiary and appointed you to reside in this Country.

I am much pleased to receive the sincere and friendly assurances of the President.

I believe from your having always faithfully discharged the duties of your office the President will have no reason to regret his having made this appointment.

I pray that henceforth the intimate and friendly relations of the two countries may be more and more increased.

With dispatch No 207.

Speech of His Majesty
the Mikado.

No 2.

Received Jan 9th 1871

Your Majesty.

The Government of the United States which I have the honor to represent, actuated by a sincere feeling of friendship for Your August Majesty, and by a desire to increase the amicable relations that so happily exist between our respective peoples has deemed it fit and proper to advance my rank from Minister Resident to that of Envoy Extraordinary and Minister Plenipotentiary near Your Majesty; the highest rank conferred upon its diplomatic representatives at Foreign Courts.

I bear with me from the President of the United States a

Letter

Letter accrediting me to Your
Majesty in that capacity which
I have now the Honor to deliver
into Your Majestys Hands, and
in doing so beg leave to call attention
to the cordial Expressions of high
personal regard for Your Majesty
which the President-Elect employs.

This distinguished Honor
would not have been conferred
upon me by my Government
unless my Course as its Representative
had been entirely satisfactory, and
I trust that whilst my Zeal has
won for me increased Consideration
at Home I have not suffered any
loss of Your Majestys respect
and Esteem; but that the ties
which now unite our respective

Countries

Countries in the bonds of
friendship may continue to
grow stronger as the years roll
on

Legation Japan

With Dispatch No 200.

Remarks of C. E. de Long
dated Jan 9th 1871

No 1

Recd 24 July 1871 Pratt

United States Legation

Yokohama Japan June 13th 1871

No 201.

Sir

I have the honor to enclose herewith a copy of a Circular issued by the Japanese Government, on the 5th instant, forbidding the posting of printed notices in the streets of this city.

I am Sir

Your obedient servant

C. E. De Long

Envoy Extraordinary &c

Contents.

Forwarding printed Notices to Mannin. issued by Japanese Government.

No 201 United States Legation

Yokohama Japan

13th June 1871

Sir.

I have the honor to enclose herewith to you for your information three printed copies of Notices to Mariners received by me to day from the Japanese Minister of Foreign Affairs; and to advise you that I have this day forwarded to each of the Consulates in this Empire similar copies.

I have the honor to be

Sir

Your most obedient Servant

E. De Long

Hon Hamilton Fish

Secretary of State

Washington D.C.

Japan 13th Jan 1870

C & De Long

No 201

Ths Enclosures

Received

Forwarding copies of
Notices & Warnings

NOTICE TO MARINERS.

Notice is hereby given that on and after the 14th June, 1871, and until the illumination of the permanent apparatus, a temporary light will be shewn from the lighthouse erected on Temposan Fort, at the mouth of the Ajikawa, Osaka.

The light which will be bright and fixed will be exhibited every night from sunset to sunrise.

It will be shewn from a square white wooden tower of a height of 30 feet to the centre of the lantern. The total elevation of the light above the sea will be 53 feet, and its range of visibility from a vessel's deck will be 10 nautical miles. It will illuminate the whole horizon.

Temposan lies in 34 degrees 40 minutes north latitude and is 135 degrees 27 minutes east of Greenwich.

By order of the Minister of the Interior.

R. HENRY BRUNTON,

Engineer to the Government of Japan.

Lighthouse Establishment, Benten.

Yokohama, 14th May, 1871.

NOTICE TO MARINERS.

Notice is hereby given that on and after the 14th June, 1871, a fixed bright light of the first order will be exhibited, every night from sunset to sunrise, on the north point of the island of Awadji, to illuminate the approaches to Akasi Straits, being the eastern entrance to the Seto Uchi, or Inland Sea of Japan.

The light will be shewn from a stone tower of a height of 15 feet to the centre of the lantern.

The total elevation of the light above the sea will be 158 feet, and its range of visibility from a vessel's deck will be eighteen and a-half nautical miles.

The light will illuminate 204 degrees 40 minutes of the horizon, from a bearing of S. 61 degrees 20 minutes W., round to N. 86 degrees E. in the seaward direction, bearings true.

The north point of Awadji lies in 34 degrees 37 minutes north latitude, and is 135 degrees east of Greenwich.

By order of the Minister of the Interior.

R. HENRY BRUNTON,

Engineer to the Government of Japan.

Lighthouse Establishment, Bentén.
Yokohama, May 14th, 1871.

NOTICE TO MARINERS.

Notice is hereby given that on and after the 14th June, 1871, and until the illumination of the permanent apparatus, a temporary light will be shewn from the lighthouse erected on Wada Misaki, Hiogo Point, to the South West of Kobe anchorage.

The light, which will be red and fixed, will be exhibited every night from sunset to sunrise.

It will be shewn from an octagonal white wooden tower of a height of 46 feet to the centre of the lantern. The total elevation of the light above the sea will be 52 feet, and its range of visibility from a vessel's deck will be 10 nautical miles. It will illuminate the whole horizon.

Wada Misaki, Hiogo Point, lies in 34 degrees 40 minutes north latitude and is 135 degrees 12 minutes east of Greenwich.

By order of the Minister of the Interior.

R. HENRY BRUNTON,

Engineer to the Government of Japan.

Lighthouse Establishment, Benten.

Yokohama, May 14th 1871.

file

Wm Pratt

Yokohama Japan

June 15. 1871.

Sir.

By the last mail, I had the honor to receive the Commission from His Excellency U. S. Grant President of the United States, appointing me to the office of Interpreter to the U. S. Legation in Japan.

Will you please convey to the President my sincere thanks for his kindness in bestowing this appointment upon me, and for the honor which he thought to do me.

I regret to say that I shall have to decline the appointment. The Hon. Hamilton Fish

Secretary of State

Washington D. C.

I find it will seriously conflict with other and important interests. Will you please convey this information to the President.

I herewith also return to you the papers sent me by last mail, viz. The Commission, Passport, Blank copy of oath, and Letter of Credit in duplicate.

I have the honor to be

Sir, your most obedient servant.

J. C. Hepburn

Copies may be made to the Supreme
Ct & Sol per 18 Feb to date of originals July 31 10 Pgs Matt.
Rec'd 24 July

United States Legation Sept 12

Yokohama Japan June 16. 1871

No 202.

Hon. E. C. De Long

Envoy Extraordinary &c

DEPARTMENT RECEIVED JUL 24 1871 OF STATE

Contents.

Forwarding Letter of J. C. Hepburn Esq
declining the position of Interpreter. with
his Letters of Credit &c. and advising of
the probable reasons for his action and
submitting copies of our correspondence
&c suspended from 16th Sept -

Mr Hepburn received an acting
appointment from the Minister on the
18th Feby 1871 which was approved &
ratified by the Department. He is entitled
to salary during the time he discharged the
duties of the office 2 days to 15 June 1871 -
See 7th Opinions of Attys Gen'l 714. where that rule
is applied to an acting Consul -

E. P. -

No 202 United States Legation

Yokohama Japan June 16th 1871

Sir

It is my disagreeable duty to inform you that on yesterday I received from J C Heppburn Esq a Note advising me of his conclusion to decline ~~accepting~~ the appointment of Interpreter to this Legation (Enclosure No 1) 1/202

Accompanying this note from him was an unsealed Letter to you. His Commission from the President: Letter of Credit: Passport &c all of which I have tied in a bundle and enclose in this Envelope with this despatch.

I replied to this kind note of Mr Heppburn expressing my regret that he should have felt compelled to take this step and assuring him that I would recommend that he should receive the salary of the

Hon Hamilton Fish Sec of State
Secretary of State
Washington D C

2/

office for the length of time that he actually served which was from the 18th. of February last until yesterday. (Enclosure No 2)

Such recommendation I do make to you and if you approve of it- I would feel obliged if you would address Dr Hepburn or myself how to draw this pay for time

In excuse for this seemingly strange conduct of Mr Hepburn's I beg leave to state to you that for many years he has been engaged in perfecting his Japanese Dictionary and adding to it- a small grammar. This has become the work of his life which he is unwilling to allow anything to stand from prosecuting to completion.

I thought as he did that he might- fill this office and yet find span time enough to prosecute this labor to completion

To this end I had promised to

have

dare him from doing amuch labor as Interpreter
until this work was completed.

However as this work progresses the
pangs of labor increases and he now finds that
it is absolutely necessary for him to devote
this and six months uninterruptedly to its
completion and another six months in
China to supervising its publication

- Such an absence he fears would be
wholly incompatible with the public interests
if he should occupy this position.

This action leaves me unaided in
this office except by my native Clerk and
Interpreter Kyashi who I am paying
six hundred dollars per year.

I think that I can arrange for
the balance of the $2500.00 per annum to obtain
the occasional assistance of another
gentleman here who is learned in the
language

language to assist me by acting as Interpreter whenever I need assistance beyond my Native Interpreter.

I will report to you by the next mail about this.

The truth of the matter is just this. The Japanese Government engages every foreigner who is competent to teach in school to teach in this college. They pay from $350.00 to $400.00 per month. And as a consequence a foreigner who competent to act as Interpreter to this Legation can do much better financially by entering the Japanese Government service as a teacher.

The rank of Interpreter does not carry with it such official dignity as to give its possessor an entree into high Japanese Circles except occasionally when acting as Interpreter and hence from insufficient

pay and rank, it is not desired by competent persons resident here.

To obtain such assistance as is really required this office should be made Secretary and Interpreter and the pay increased to five thousand dollars per annum. Otherwise you can only obtain the service of some man to do as Mr Portman did, viz hold the office draw the salary, employ a Japanese to do the necessary translating and other do no duty as Interpreter.

If that course is to be followed it is better to allow me to employ the Japanese Interpreter direct as I am doing for six hundred dollars per annum and save the residue of the salary to the Government.

I have the honor to be Sir

Your most obedient Servant

C E De Long

Enclosure

No 1. Letter Upshur to De Long

No 2. Reply of Mr De Long

Captain Upshur U.S.N.

C. & O. Ry

No 2002.

Mr De Long

Relative

Communicating the

Resignation of C. E. Upshur

No United States Legation

Yokohama Japan June 15th 1871.

Sir

Your most kind communication of this date enclosing to me your resignation of the office of Interpreter to this Legation is at hand.

Thanking you most sincerely for the kind and flattering allusions to myself you therein employ, I beg leave to assure you that it gives me great pain to separate from you officially and be left alone in this office again.

Our brief official intercourse has but served to increase the high degree of estimation in which I held you previously

J. C. Hepburn Esq and

and I shall always remember
with much pride and pleasure
the period of our official Association.
I will remit your letter & its
enclosures to the Hon the Secretary
of State who I am sure will also
regret the necessity that induced
you to take this course and
deprive this Legation of so
efficient & desirable an assistant.
The amount $4.25/100 which you
expended please accept herewith.
As regards your salary
I feel quite sure that the
Government will allow you
to draw pay for the length
of time during which you have
been actually employed in its
service which is from the 18th day
of

of February last until this date.

I shall ask that this allowance be made and for instructions as to how it may be drawn ~~for~~ Again ending you my heartfelt thanks for the assistance and encouragement you have given me.

I remain My Dear Sir

Your Friend & Obedient Servant

C E De Long

With dispatch No 202

Letter of De Long to Kopbrun.

No 2

Dated June 15th 1871

Yokohama June 15th 71

H. E. Charles A. De Long

&c &c &c

Dear Sir

I herewith send you my letter to Mr Fish - Sen, will you kindly transmit it to him, as you offered to do yesterday

I send you also all the ruled paper in my possession and the envelopes.

I have called twice on Allmand about my salary but have failed to see him. I think it is hardly worth while to call again, as I do not think there is any probability that I can receive back pay, if I do not

not accept the appointment, &
I do not feel that I could accept
it merely to get the money, even
for one day. so I shall have to
let it go.

You remember I had
a lot of paper ruled at your
request, I paid for this $4.35.
which you will please remember

This I believe closes our
account and our official rela-
tions, I cannot, however, take
my leave of you, without thank-
ing you for your kind and
considerate treatment of me, &
am only sorry that you, and
our Government, have not an
American here that can fill
my place, and assist you as

Yours

your laborious office.

Allow me also to say that my official intercourse with you has begot in me the highest respect for your industry fidelity and Eminent abilities as a servant of our country and Government, and I am only uttering the sentiment of all the American citizens in this place, when I say we feel ourselves singularly fortunate in being so well represented

I remain, Dear Sir,

Very respectfully

Yours

(Sdg) J. C. Hepburn

Legation Japan

With dispatch No 202.

Letter of Mr Hepburn to Mr de Long

No 1

Dated June 15th 1871

Dispatches April 24 July 10 Part II

No 205 United States Legation

Yokohama Japan June 7th 1871

DEPARTMENT RECEIVED JUL 24 1871 OF STATE

From

C C De Long

Envoy Extraordinary and

Minister Plenipotentiary

FOREIGN Relations '71

Contents,

Recommending certain Legislation

Requesting to know if it is desirable for

me to visit Washington this fall to

confer in relation to revising the Treaty

with Japan and about other matters

Thos

No 203. Legation Yokohama

Japan June 17th 1871

Sir.

At the risk of being disagreeable in so persistently urging upon your attention the imperfections of our laws to meet and provide for the wants of American Citizens in Japan. I shall venture in this despatch to call your attention to imperfections in our existing laws, and to the manifest necessity for other and further legislation.

I perform this labor at this time, that my suggestions, if any of them should be fortunate enough to meet with your approval, may be laid by you before Congress at its next session, with such recommendations as the President, or yourself may see

Hon Hamilton Fish per pen

Secretary of State

Washington D C

proper to make.

Calling your attention in the first place to the provisions of the 6th Article of our Treaty with Japan. Signed at Yedo July 29th 1858. (See Bound Volume of Treaty with Japan Page 33) which reads as follows "American Committing "offenses against Japanese shall be tried in "American Consular Courts and when found "guilty shall be punished according to "American law." I presume that I am justified in saying that American resident here cannot be tried or punished for violating any Japanese law or regulation unless a similar law or regulation exists in our Country

Following this I beg leave to refer you to Section 4. Act of June 22nd 1860. (See our Consular Regulations P 245)

This provides a similar limitation over our judicial tribunals directing them to

Exercise

Exercise their jurisdiction civil and criminal
"in conformity with the laws of the United States."
but it also further provides as follows "but in
"all cases where such laws are not adapted to the
"object, or are deficient in the provisions necessary
"to furnish suitable remedies, the common law
"including equity and admiralty shall be
"extended in like manner over such citizens and
"others in the said countries; and if defects
"still remain to be supplied, and neither
"common law, including equity and admiralty,
"nor the Statutes of the United States furnish
"appropriate and suitable remedies, the
"Ministers in the said countries, respectively
"shall by decrees and regulations which shall
"have the force of law, supply such defects
"and deficiencies."

In your dispatch to me No 48 of the
20th of December 1870. you give a construction
to

this act limiting my powers in issuing decrees and regulations, to directing a mode of procedure for the enforcement of existing laws, and not to the enaction of law.

This construction denies the judicial officer then in punishing a citizen to the terms of some act of Congress or some provision of the Common Law of Equity or of Admiralty.

In fact it denies the officer in punishing crimes to the Common Law, because we have no Statutes of the United States defining crimes and providing punishments except in a very few and generaly inapplicable cases. Equity and Admiralty of course are civil & chancery.

Divest them to the Common Law and exercising our judicial powers for the prevention of Crimes allow me to ask what

Common

Common law can not be governor by?

Statute law of the United States of The United States can hardly be called Common law but if by a stretch of imagination they can included them it follows that no uniform rule exists because in one State the law is different from that of another and a judge would be left to make out-rageous and uncertain punishments for the same offense and bring ridicule and contempt upon our tribunals This besides inflicting severe injustice upon individuals

If then it is the Common law of England that is intended for us to execute when no United States Statute covers the case. we find in many cases an absence of any express or well known provisions for the government of many cases. For instance the

rule

rule of the road in driving or riding in England is to turn to the left and that rule has been adopted by the Japanese. With us on the contrary it is to turn to the right.

Now supposing an American in riding or driving according to his own laws on this subject unfortunately collides with a vehicle driven by some other foreigner or by a Japanese and damage is caused or a personal injury is inflicted. How is the man to be punished?

Again. In this community gambling is openly carried on in defiance of the laws of this Empire and of the expressed wishes of the Japanese authorities. Houses of ill fame are openly and contumaciously conducted in this City. Persons riding and driving is indulged in in the streets, and the use of fire arms in cities is made in a way dangerous to life; yet in this common law

are

as fixed on suitable provisions for enabling us to regulate or prohibit these things.

Unfortunately owing to the proximity of Japan to California many of the very worst characters of both sexes that infest these ports and are guilty of these offences are American Citizens and upon our country its officers and institutions are reflected the disgrace which these things entail.

We have cities here without any town councils or Mayors. each quota of its inhabitants being left for all general and special government to the Ministerial and Consular authorities of their own countries for government.

My written officers from and myself advised not during to exercise doubtful or extraordinary powers are still desirous of being armed with sufficient authority to preserve as good

order

order amongst our people as this authorities amongst them; yet we find it quite impossible

For these reasons I again call this matter to your attention in hopes to receive from you such recommendations to Congress as will cause that body to legislate for this community in a manner to free us from these difficulties.

In connection with these remarks I beg leave to call your attention to the imperfections in the act of July 1st 1870.

This Statute is in my opinion almost wholly wrong and I respectfully submit that it should be repealed.

I invite your attention to the following brief review of it.

Section 2 of that act is its first provisions taken from the Consul General

or

or the Consul residing at the Capital the judicial powers vested in them by the Act of 1860. and confers the same on you.

These judicial powers are simply all of the powers vested in me as Minister both appellate and original.

To illustrate the operations of this Statute allow me to imagine a case

Suppose I should leave Japan temporarily; or that I should die and during the period of my absence or before the vacancy caused by my death was filled a person should wish to bring an action against one of our Consular Officers; or an action in which one of our Consular Officers should be a material witness; where would he bring such action? By the law of 1870 he would be compelled to commence his suit before you the Secretary of State of the United States.

I am

The plain unconstitutional nature of that provision I think should of its self warrant its repeal; but besides this it is palpably violative of our treaty with Japan which provides Japanese suitors that their complaints against Americans shall be tried in the Courts of the United States in this Empire (See Art 6. Treaty of Yedo of July 29th 1858) In addition to this it is impracticable and calculated to retard and defeat justice by driving litigants into a strange field at an immense distance from where they reside and where this evidence is obtainable.

Returns of this nature are quite frequent I have twice revised such cases and now have four or five pending before me.

Section 3 of this Act of 1870 is open to still more serious objections and it seems to me needs only to be carefully read

to

~~to form this section~~

In the first place it provides for an appeal from a judgment rendered by a Minister in a Criminal proceeding when he sits as a Court of original jurisdiction; when no law confers any original Criminal jurisdiction upon the Minister; this is harmless but unless but the remaining portions of that Section are strictly ~~odd~~ and I think mischievous

A party is given the right of an appeal from a judgment in a capital case but is not allowed a stay of proceedings unless the Minister the very officer who must by the law concur in the ~~sentence~~ judgment to make it effectual shall ~~shall~~ satisfy himself by satisfying that there is probable cause for such an appeal.

In other words a Minister who has approved a sentence as being regular and just-

just to grant a stay of proceedings pending an appeal must issue this certificate certifying that the judgment is probably irregular or unjust.

But still the party may appeal the advocate of the law of 1870 may say; so he may in any reply but without the benefit of an order staying proceedings under the judgment the appellant may be hung before his appeal is heard and his heirs be left the benefit of a reversal of the judgment.

Sections 4 and 5 are objectionable in my opinion for the following reasons.

In the first place Consuls in Japan are not educated lawyers and their Courts are not conducted in accordance with the strict rules of practice governing Courts of law at home. In fact I believe all

all of thin judgments would upon appeal to the United States District Court be very liable to be reversed if that Court should strictly with thin the same rules governing its decisions ordinarily.

In this wordiness of form and in practice would compel those reversals for known much that Court might with to allow for the explainable conclusions of those Courts still it could not admit-

and one would be error. And then what?

Strange as it may seem the law of 1870 in all of its provisions says nothing about what disposition is to be made of a cause turned upon appeal. Is it to be tried anew and if so where?

The author seems to have intended that upon the appeal the cause should be heard and decided upon the record alone as certified upon appeal; and that the judgment of the District Court in all cases should be final and no new trial be had.

Suppose on the trial in the Circuit Court the Appellant had offered to prove a certain fact and the Court had refused to admit the testimony offered. That an exception had been taken thereto and formed one of the grounds of error presented to the District Court

Court

Court in the hearing of the appeal; that the District Court should reverse the ruling of the Circuit Court as erroneous and hold that the appellant should have been allowed to have proven that fact if he could. Then suppose further that the fact that the appellant offered to prove was a material one; one that if established would entitle the appellant to a judgment; what in such a case could the District Court do except to reverse the judgment and remand the cause to the Court below for a new trial?

It cannot be said that the District Court in such a case should act as if the proof had been admitted and the fact proven and render judgment accordingly for it frequently happens in practice that a party offers to prove a fact that he would fail to be able to establish even if allowed

to

to prevent. This is sometimes done to make error in the record and sometimes it is offered in good faith and the party whom alone to prevent is disappointed in his own evidence or overcome by the adversary's. Then too if this District Court in such a case was to assume that the appellant could and would have adduced the proof the offered and which was excluded; by what system of reasoning can that Court conclude that the Respondent might not have offered evidence against it sufficient to have disproven what the appellant sought to establish? It could not do this nor would not; since I insist that notwithstanding the authors intentions, our trials must necessarily follow manuals of judgments in many cases. Consider then the consequences of this system. Japanese

litigants

litigants notwithstanding the claims in common that I have yerkes on in common with all other litigants down into Courts four thousand miles distant or how they have no acquaintances or agents, about the rules of which they are in certain ignorance. Then Inasmuch then Falls in with the mass upon a calendar to come up for disposition at some distant day and if the judgment is reversed and a new trial ordered if they are fortunate enough to try it once in a superior Court - another appeal may be taken and three delays obtained & negations absolutely to be destructive of the principles for which Courts are established.

I think that when the operations of this law are known and understood by business men then of all nationalities that it will be regarded by them as being

being calculations, can result in a person sacrificing in large demands a very great portion of the sum justly due in order to obtain immediate payment and avoid the expense and delay that litigation under this statute will entail.

Sections 9 & 10 of this Act although not very important I regard as being unwise and unjust.

I know of no reason why the appropriations for jail and other expenses at Shanghai should be times as much as at Nanzamen, a place of greater necessities in this land as it is the naval station of naval powers besides being as important a mercantile character. But this is a matter that I am indifferent about; it is the wisdom of this section that I object to. I do not think the system

of

of appropriating a sum total for Consular Establishments is a great one. Neither Consular officer knows or has any means of knowing how much of the pittance fund has been drawn out by the others nor has he any means of knowing until his draft is dishonored, because the fund is exhausted. I would recommend a change in this regard so as to give to each a sum certain as a maximum. The appropriation need be no more in the aggregate except each Consul would know the limit of his yearly allowance and avoid drawing for any excess.

With due deference I submit that this Act is almost wholly wrong and should be repealed. The inconvenience of communicating our wants by writing is such that I shall forbear pressing them ours that I have at least

at

at this time. I think perhaps that it would be well for me to visit Washington and confer personally with you about these and many other matters including the course of action you wish me to follow in arising the treaty next year, in regard to the question of the Simonoseki Indemnity; the Native Christian matter &c. Should you deem it advisable or desirable for me to come to Washington amongst you I can only say that I shall be happy to do so. starting in October or November next.

In this event you should advise or direct me to do so please inform me if it would be proper for me to leave Mr Mangum Consul at Nagasaki in charge.

He is the oldest in the Consular Service here, an excellent man with whom

I could substantially meet the enemies
of the Legation and if agreeable to you
I would prefer to leave him in charge.

I respectfully solicit an
early reply at least to the concluding
portion of this dispatch if possibly
convenient.

I have the honor to be &c

C E De Long

Japan June 17th 1871

C. E. de Long

No 203

Received

Recommending certain Legislation and suggesting the propriety of any pending at Washington to enure about matters in Japan

No necessity seen to bring the Chronicle &c

U. S. LEGATION,

Yokohama, Japan.

June 19th 1871

Sir. Mr Bedell

Ans. Sept 20 am

DEPARTMENT OF STATE RECEIVED JUL 24 1871

In my dispatch No 203. by this mail I have officialy stated to you that if you should consider it desirable or advisable for me to visit Washington and confer with you before the next meeting of Congress in regard to affairs in this Empire that I would do so. I then alluded to some of the subjects that I thought it was necessary for me to confer with you with reference to but I reserved to a private letter to inform you why without your invitation I do not feel like doing so upon the leave of absence that through your kindness I have and might enjoy. — I have

a strong repugnance against leaving my post of duty even seemingly in pursuit of my own pleasure or business whilst I continue in office drawing pay. Beyond this I dislike of my own motion to be at Washington seemingly log rolling. My object is if you think proper to come on your request which request would save me from all unjust suspicions of being actuated by personal motives and give to my visit a business character of duty that would silence all unjust comments. — Of course I do not wish nor would not ask for any additional pay if I should go by your request. To save me from any such suspicion I also write this. — I consider that in the revision of the Treaty next year all of the substantial progress that the civilized powers can hope to make with Japan for a very long time must be accomplished

To enter the field here without previous conference personally with the President and yourself is to be placed at a very great disadvantage with my colleagues two of whom have gone and others are going there to learn in detail the views and wishes of their respective Governments. - Having never met you I have had to deal here with duties very new and strange to me at a point of growing importance. I have done all in my power to anticipate and carry out your wishes: not however at all times satisfactorily much to my regret and which I attribute in part to the misfortune of never having seen and conversed with you. -

I am very desirous of knowing the views of the President and yourself about the action to be taken relative to the incidents of the Sumnerwickey Indemnity ~~Bill~~. the Native Christian Matter. the legislation needed for the successful administration of our laws here and numerous other matters. - Perhaps you

you may also regard it as being desirable that we should meet and if so I only wished to say to you that a request of that kind on your part would meet with my cheerful concurrence; without any seeking to make profit or put our Government to expense by it.

Begging you pardon for obtruding this second note upon you. I am

Very dear Sir
Yours very truly
C. C. Colton

Hamilton Fish Esq
Secty of State
Washington D C

Copy of dispatch No 138.
Has not been answered
July 31
W Pratt.

Legation Yokohama
Japan June 19th 1871

No 204

Sir.

I have the honor to transmit herewith a copy of a dispatch from this Legation to the Department of State, bearing date the 21st ult., relative to the claim of Mr. E. D. Long, for the loss of his property by the burning of the Steamer Yeddo, on the 24th of February last.

I have the honor to be, Sir,
Your obedient servant,
E. D. Long

Enclosure Extract as above &c

Contents.

Calling attention to dispatch No 138 of 21st ult. of January last- requesting an answer to the matters therein enquired about- and assigning reasons for my urgency.

No 204. Legation Yokohama

Japan June 19th 1871

Sir.

I beg leave to call your attention to my dispatch No 138 of date the 21st of January last.

The same annoying movements and from the unfriendliness of the Japanese Authorities and the disturbances of Mr Portman I am given a great deal of petty annoyance which I am extendingly anxious to be rid of in some way.

The Japanese Govt seem to blame me for neglecting this matter of paying rents as they seem to think that the whole matter rests with me.

Permit me therefore will all Hon Hamilton Fish due

Secretary of State

Washington DC

I have the honor to be

Sir

Your most obedient Servant

O E Dr Long

Capt Cook

Ho Dpt

Pensacola

Surgeon's opinion
in duplicate
No 138

No 8 Recd 24 July Abt. H, Dr Pratt

Legation Yokohama

Japan June 19th 1871

No 205

From

C. E. De Long

Envoy Extraordinary &c

Contents

Adviring of another supposed political Murder. The killing or rather supposed mortally wounding of one Mr C King at Niigata

No 205 United States Legation

Yokohama Japan Jan 19th 1871

Sir:

Through the politeness of Chevalier Van der Hoorn. His Netherlands Majestys Minister here I was informed on yesterday that by a letter just at that time received by him from the North German Consul at Nagasaki; that an English subject named E King in the employment of the Government at that port as a teacher had been savagely assaulted in his bed on the morning of the 11th inst by some unknown Japanese who cut him through seven times with the avowed producing motive that the writer

Hon Hamilton Fish concluded

Secretary of State

Washington DC

considered as being necessarily mortal as did also the Japanese physician in attendance.

The frequency of these cases in this country and the significant fact that these attempts are mainly made against foreigners in the employment of the Japanese Government is drawing of notice I have the honor to be

Sir

Your most obedient Servant

C E De Long

Tokio Japan Feby 19 1871

C E De Long

No 205

Received

Referring to the attempts assassination of foreigners Japan by a Japanese Employed under Japanese

Recd Asked 24 July Ans. Ack Instd.

No 206

Legation Yokohama

Japan June 19th 1871

DEPARTMENT RECEIVED JUL 24 1871 OF STATE

Sir

I have

the honor

to inform

you that

Contents.

Mr Nathan E Rice in succession of Mr Consul Hakodadi as acting Vice Consul. Mr A Dunn former Consul at present here. He suppresses many additional charges against Mr E E Rice and has last before me a large amount of testimony in support of the same. My intention in regard to proceeding to Hakodadi to investigate the affair

No 216. Legation of Japan
Japan June 19th 1871

Sir.

I have the honor to advise you that by dispatches received by me from Mr Pelham Ellis at Hakodada that he has as acting Consul for that port assumed charge of and is now in possession of that Consulate.

Mr A C Dunn former Consul arrived at this Port a few days since and at once laid before me a mass of evidence in support of his charges against Mr E C Rice and also submitted to me numerous complaints charging Mr E C Rice with the wrongful actions and also laid before me a large amount of evidence in support of those

Hon Hamilton Fish
Secretary of State
Washington D C

our charges.

It is my intention to leave Yokohama next month for Hakodadi to make the investigations directed by you and also to inquire into several other matters at Hakodadi between the Japanese and the Ainos which the Japanese authorities have recently called to my attention.

I have the honor to be

Sir

Your most obedient Servant

S. Wells Williams

Legation of the U.S.
Yokohama
No 206.
Recd
Acknowledged and
Communicated to Washington

Extract Art 2 Mr Pratt.

U.S. Legation Yokohama

Japan July 2nd 1871

No. 207

Sir

DEPARTMENT OF STATE RECEIVED AUG 22 1871

I have

the honor to inform you that I have

this day presented my credentials as Envoy Extraordinary and Minister Plenipotentiary

to the Tycoon.

Acknowledging receipt of dispatches Nos 76 & 89. inclusive.

Dispatch No 75. not received.

No 207. The Legation Yokohama

Japan July 2nd 1871

Sir

I have the honor to acknowledge the receipt by the last mail of dispatches from your numbers respectively Nos 76. 77. 78. 79. 80. 81. 82. 83. 84 85. 86. 87. 88. and 89.

No 75. has not been received by me.

I have the honor to remain

Sir

Your most obedient Servant

O. O. Long.

Hon Hamilton Fish

Secretary of State

Washington D C.

Japan July 2 " 1877

C. E. De Long

No 207.

Received.

Acknowledging receipt of certain despatches and acknowledgment of despatch No 75.

Laws & Decrees & Regulations Acts

Mr Pratt

Legation Yokohama

Japan July 2 1871

DEPARTMENT OF STATE RECEIVED AUG 22 1871

No 208

Hon. C. E. De Long

Envoy Extraordinary and Minister Plenipotentiary

Contents.

- Reporting new rules adopted by the Japanese Government relative to their Coinage.

Gold coins adopted as a standard and Silver Coins made subsidiary.

No 208 Legation of Yokohama

Japan July 2. 1871

Sir.

I beg leave to advise you that
sometime since the Japanese Authorities
requested a conference with the Foreign
Representatives to consider with them the
adoption of new and additional
Rules and Regulations for the
government of the Mint at Osaca.

That we met with them at
the French Legation in this City
and adopted a set of Rules which
after being returned to Yedo have been
forwarded to us by the Ministers
for Foreign Affairs. (Enclosure No 1)

Hon Hamilton Fish with
Secretary of State
Washington D C

~~the accompanying Letter Explanatory~~
~~thereof (Enclosure No 2)~~

I have the honor to remain

Sir

Your most obedient Servant

C E De Long.

Lieut Cmdg

U S S P

Jeannette

Respectfully forwarded

to the Secretary

of the Navy

Recommending that

Explanations for Release

of Private Ah Orsea

Lieut Cmdg 2 Nov 1881

Table of the weight of the gold coins.

Standard fineness ... 9.10

	Pure Gold		Standard weight	
Yens	weight in grammes	weight in grains	weight in grammes	weight in grains
20	30	462.97	33 1/3	514.41
10	15	231.48	16 2/3	257.20
5	7 1/2	115.74	8 1/3	128.60
2	3	46.29	3 1/3	51.44
1	1 1/2	23.15	1 2/3	25.72

Table of the subsidiary silver coins

Standard fineness ... 8.10

	Pure Silver		Standard weight	
	weight in grammes	weight in grains	weight in grammes	weight in grains
50 Sen	10.00	154.4	12.5	193
20 "	4.00	61.76	5.00	77.2
10 "	2.00	30.88	2.00	38.6
5 "	1.00	15.44	1.25	19.3

Table of subsidiary coins

	weight in grammes	weight in grains
One Sen	7.13	110.
half Sen	3.56	55
One Rin	0.90	14

Table of the silver one-yen;

Standard fineness-9-10

	Pure silver		Standard weight	
	weight in grammes	weight in grains	weight in grammes	weight in grains
One yen	24.26072 6	374.4	26.95363	416.

Supplement.

1. Each kind of the gold coins namely: Twenty (20) yen, Ten (10) yen, Five (5) yen, Two (2) yen, and one (1) yen, among which the last, namely the one yen is the legal

Standard

Standard, shall be No Legal Tender
in all payments to any amount.

II Each kind of the Silver coins,
except the Silver-one-yen, will be
subsidiary coins, and shall be
Legal Tender for the payment
of sums not exceeding Ten (10) yen
in any one payment, whether
the payment is made in one of
these coins, or in several.

III Each of the subsidiary copper
coins namely: One (1) sen, one half
(1/2) sen & one tenth (1/10) of one sen,
shall be Legal Tender in payment
of sums not exceeding one (1) yen in
any one payment.

IV For the sake of rendering
facility to foreign commerce at
the

the ports of trade & commerce, and in
accordance with the requirement of
the traders, both foreign & Japanese,
our Government will coin these mo-
ney & make it legal tender for
foreign commerce. This silver one
will be the legal Tender in payment
of local taxes, & of Import & Export
Duties. It will also be the legal
Tender in any commercial
Transaction in the Open Ports.
Besides this one yen will, how-
ever, not be, the Legal Tender
in any other place than the
said Open ports, and shall not
be used for the payment of
Internal Revenue of any kind
nor will it be lawful under

in

the interior; but no such unusual agreement any person or persons may use it to any amount throughout Japan.

In the payment of the Import & Export Duties the comparative rate of the gold yen to the silver one yen will be as follows

Yens, One Hundred (100) silver one yen, shall for the present be equivalent to one Hundred & one (101) Gold yen.

Mint Regulation

Art 1

The Bullion office will be open every day from the 2nd August 1871 (corresponding the 16th of the 6th month in the forty year of Meiji) with the exception of the holidays mentioned below, for the receipt of bullion from 10 o'clock in the morning to 1 o'clock in the afternoon.

Holidays.

Sundays.

From the 1st to the 3rd of the 1st month

7th of the 1st month

15th of the 1st month

3rd of the 3rd month

5th of the 5th month

1st & 2nd of the 9th month

From the 14th to the 16th of the 9th month

9th of the 9th month

22nd of the 9th month

From the 28th to the 30th of the 12th month

Art. II.

If the Mint stops on account of any extraordinary occurrence the receipt of bullion will of course be declined, On such occasions public notice will be given without delay.

Art. III

Superintendant of the Bullion Department, that is to say the Deputy Commissioner of the Mint will personally receive gold bullion or foreign gold coin of known Standard

standard and value as qualities
not less than one hundred and
fifty (150) ounces Troy (0.1215
ounces)

Sec. 11

For the purpose of coining
bullion or silver coins both foreign
& Japanese of known standard
& value & as qualities less than
two Thousand (2000) ounces Troy
(about 1656 ounces) will be received
& returned in gold coin. If
the presenter desire to have
silver coin as return he must
make his wishes known when he
presents his coin or bullion &
the Assist. Officer may refuse
such request when it is
inconvenient

~~Recommend to coin for the world.~~

For the present for silver bullion
the new standard coin will be
paid at the rate of sixteen of
pure silver for one of pure gold

Art 4

All gold & silver bullion
or foreign coin whatever the fineness
& value of which is not at once
apparent, will be temporarily
received & after fremelting &
assaying its fineness & value
will be determined. If it prove
suitable for the purpose of
coinage it will be accepted.
The quality to be the same as
declared in Art 3 & 4 respectively
The question of suitability will
be

be determined by special Ordination to be published by the mint. The above rule shall be applicable to all Japanese coins excepting silver coins.

Art VI

If other gold or silver bullion presented assaying be unfit for the purpose of coining it will be returned to the owner who will be charged with the expenses of presenting & assaying according to a uniform price to be established by the Mint.

Art VII

Any person bringing to the Mint gold or silver bullion

coin not suitable for the purposes
of coining, shall only be entitled
to have such bullion or coin
received & refined if the Mint
can do so. The qualities to be
the same as mentioned in Art
3 (in case of gold bullion) & Art
4 (in case of silver bullion) res-
pectively, & the cost of refining
to be borne by the applicant
according to a uniform scale
of prices to be established by
the Mint.

Art VIII

On the acceptance of
gold or silver bullion or coin
for coinage by the Mint, an ode,
shall be issued payable in 3
days

days after date for the return of the
ouk-turns on standard gold or in
silver or Yen according to the
Art II last preceding charges.
Duebills being payable within
the above specified time at the
Oriental Bank Corporation
in Osaka, the foreign Banks
of the Government

Art IX

The cost of coining
standard gold into coins shall
be one percent for the present

Art X

The cost of coining the
silver one yen shall be two per
cent for the present

Art XI

The Mint will receive bullion
of gold & silver alloy, including
ores of fine qualities not less than
five hundred (500) parts in a thou
(or 4/10 nine nine) after it has
been refined & assayed the
value of the bullion suitable
for coinage will be fixed & the
bullion accepted. The cost
of refining will be as provided
in Art VII

Foreign coins
of the new standard will be
received for coinage at their
value by weight at a charge
of one half of one percent for gold
coins, & one percent for silver.

Art XIII

Silver bars not less than two

Thousand (2000) ounces Troy and Nine-

Dollars less than one Hundred (100)

ounces Troy, will be accepted, for

receiving at the open ports, But

gold & silver bullion other coin

the fininess of which can only be

ascertained after fremelting, will

be accepted at the Mint in Osaka

only, But if the owner be willing

(written)

to give a written agreement not

to raise objections when he sub-

sequently receives the new

coins in accordance with the

Mint Rules, the aforesaid

gold & silver bullion or other

coin shall be accepted at

the open ports and a receipt

be given for the same.

4. Form of Receipt.

Memorandum

No. —

——— of gold, or silver bullion

fineness undetermined

Receipt of the above

mentioned quantity for trans-

mission to Osaka to be coined

in accordance with the

Mint Rules printed on

the reverse, is hereby acknow-

ledged.

The new coin shall be

handed over as soon as a

communication arrives from

the Mint to that effect

Post

Signature

To Inr——

Art XIV.

The Oriental Bank Corporation, The Bank of the Japanese Government will be appointed receiver at Kobe & at Yokohama & at Nagasaki, Hakodate & Niigata, the custom house at each of those places

Art. XV

The number of days in addition to the term of sixty days & the freight & insurance & all Japanese & foreign coin & gold or silver bullion delivered or coming at any other open port

port Nan Osaka shall be as
follows

Rough estimate of the
number of days Vessels in
Insurance to and from the
open port & the Mint at Osaka

Kobe 2 days 1/4 per cent

Yokohama 15 " 1 1/4 "

Nagasaki 15 " 1 3/4 "

Niigata 45 " 4 1/4 "

Hakodate 30 " 3 1/4 "

Art XVII

The Regulations shall be
subject to such addition or
modification experience
shall prove to be necessary &
such changes shall be made
known to the public Journals

Jar

The above minutes were

Marked

(Date) Board of Finance

White Chapel No 208.

Burial Registration

No 1

10th day of the 5th month of
4th year of Meiji
(27th June 1871)

To His Excellency
Charles E. De Long
Envoy Extraordinary & Minister Plenipotentiary
of the United States of America

Sir.

We have had the honor to inform your Excellency, some time ago, of our new coins; of their respective weight; of their values; & of the kind of bullion to be struck into Standard coin. And the opening of Mint was witnessed by your Excellency.

Since then we have been considering further what beneficial improvement could yet be made: by perusing in the books & inquiring those who are well studied in the matter,

we

we are sufficiently informed to know that the Standard coins of the Western countries are struck of gold & those of silver are merely to supply the minor values; & that this ought be the rule ~~in the~~ for our coinage, for the equality in the coins of the different countries will produce a great benefit on the commerce & trade.

We have heard sometime ago that the proposal has been made & discussed at Paris to have the coins of all the countries recoined in the same & equal Standard. It is the well known fact to your Excellency that it is the desire of every people.

From this cause we concluded to change the original plan and coin the gold pieces of the value of twenty

twenty dollars, whose whole weight will be Thirty three & one Third grammes, of which nine tenth, or Thirty grammes be the weight of pure gold, of ten, five, two & one dollars as are arranged in the annexed table of coins

But for the facility of trade we will also coin the silver dollar as in the original plan for those who wish to have their bullion to be coined, & make them the circulating coins in the open port as well as Mexican Dollars

Of the five gold pieces above mentioned that of one dollar will be the standard coin, & to supply the minor values silver coins of fifty cents downwards will be coined according to the table

Any improvement that might yet be made will be after due consideration

consideration as to the benefit of the people

With Respect & Consideration

Dawa Norbu Yoshi

Tarajima Munenori

Ministers for Foreign affairs

Bhutanese Letter

The Undersigned has the

Honour to

Sir Ashton Lothian

Bennett Endorsement

Envoy Extraordinary

Gale

approving acts.

Pratt

No 209.

Legation Yokohama.
Japan July 2nd 1871

From E E De Long
Envoy Extraordinary and
Minister Plenipotentiary

Contents.

Advising you of my approval of Mr Willis P Mangum's recent absence from his post of duty as Consul at Nagasaki and of his having left the Belgian Consul Mr Adnan in charge.

Japan July 2nd 1871

C. E. D. Long

No 209.

One Enclosure

Receive,

Reporting absence of
W. P. Mangum and asking
approval of the same.

DEPARTMENT
RECEIVED
AUG
22
1871
OF STATE

No 209. Legation Yokohama

Japan July 2nd 1871

Sir.

I have the honor to advise you that during last month Willis P Mangum Consul at Nagasaki was compelled by business to be absent from his post of duty and present at this place for several days.

This absence was necessitated by the actions brought against him by Mr Lake reported to you by the last mail

During his absence he left the affairs of his Consulate in charge of one Mr Adrain the Belgian Consul at that port and reported the same verbally to me which I approved.

He has returned to his post of duty and writes me (Enclosure No 1) reporting all well and in order and begs me to advise you of these things and of my approval of them which I do accordingly. Trusting that you may approve of his action and my own.

I have the honor to be

Sir

Hon Hamilton Fish

Secretary of State

Washington D C

1/209

Sir

Your most obedient Servant

C. E. De Long

Enclosure.

No 1, Letter from Willis P Mangum.

"Copy"

No 49

Consulate of the United States

Nagasaki June 14th 1891.

To His Excellency Hon. G. E. De Long, Envoy Extraordinary and Minister Plenipotentiary, Yokohama

Sir: I have the honor to report my arrival here last evening per P.M. Str. "Costa Rica" from Yokohama. The Consulate under Mr Julius Adrian, His Belgian Majesty's Consul, whom I informed you I had appointed in charge during my temporary absence, has been most carefully looked after, and all has gone on well. I beg that you will inform the Department of your sanction of this appointment, and that official business necessitated my temporary absence

I have the honor to be Sir

Your most Obt. Servant

Willis P Mangum

U S. Consul.

Consular acts.

W. P. Pratt

United States Legation

Yokohama Japan July 4th 1871

DEPARTMENT OF STATE AUG 22 1871

No 210

Hon. C. E. De Long

Envoy Extraordinary and Minister Plenipotentiary

Contents

Forwarding copy of instructions issued by Mr. Consular officers in Japan in pursuance of instructions contained in Your Despatch No 76.

Japan July 4th 1871

C. & D. Long

No 210.

Received

Dec 1871

Enclosure

Transmitting copy of instructions issued to all Consular Officers in Japan about costs in judicial proceedings when Japanese are parties

No 210

DEPARTMENT OF STATE
RECEIVED
AUG 22 1871

United States Legation

Yokohama Japan July 4th 1871

Sir

I have the honor to advise you that upon the receipt by me of your dispatch No 76 of the 24th of April 1871. ~~that~~ I at once issued and forwarded instructions to all US Consular Officers in this Empire as per copy (Enclosure No 1)

1/210

Trusting that I have correctly understood you and expressed your views

I have the honor to remain

Sir

Your most obedient Servant

J C D Long

Hon Hamilton Fish

Secretary of State

Washington D C

Enclosure

No 1. Copy of Instructions

Copy.

No 9. U.S. Legation Yokohama Japan
July 2nd 1871

Sir: I have the honor to advise you that by authority from the Hon. Secretary of State, it is directed that in judicial proceedings in your Court you will hereafter refrain from charging Japanese litigants any costs, so long as the same rule is reciprocated by them, and so long as other Courts of other Nationalities do likewise. Please consider yourself as being instructed accordingly and remit any such costs now taxed up and uncollected in any case

I have the honor to be to the

O. B. Judd Esq

O. C. Shepard Esq
Acting Consul in Kanagawa

No 9. Same to Geo. E. Rice Acting U.S.V. Consul Yedo.

No 9. Same to Nathan E. Rice Esq. U.S.V. Consul Acting Hakodate

No 10 Same to Paul Frank Esq Acting U.S.V. Consul Kobe

No 11 Same to Millie P. Maneym Esq U.S.
Consul Nagasaki.

Enclosure
U.S. Legation Japan

With despatch 210.

Copy of Instructions issued to Consular Officers about Courts in judicial proceedings when Japanese are parties.

No 1

Dated July 2nd 1871

DEPARTMENT OF STATE
RECEIVED
AUG 22 1871

United States Legation

~~Yokohama~~ Japan July 4th 1871

~~Instructed Minister to ascertain if Japan~~ ~~desired any changes~~ ~~Japanese Govt~~ ~~to give his opinions on the changes~~ ~~No. 21~~ ~~to inform them of the~~

Did so Sept 19/71 Sept 2

Chas DeLong

Envoy Extraordinary and

Minister Plenipotentiary

FOREIGN Relations '71

Contents.

Advising you of notice given by the Japanese Authorities and them to me that a revision of the treaty will be asked

The Treaty of 1858 provides for a revision thereof by the negotiations of two after July 4. 1872 upon the desire of either party & on one years notice by either

No 211 United States Legation

Yokohama Japan July 4th 1871

Sir.

I have the honor to advise you that a few days since I received from the Minister for Foreign Affairs of this Empire a Note informing me that in pursuance of the provisions of the Thirteenth Article of the Treaty of 1858. that a revision of said Treaty would be claimed by this Government.

(Enclosure No 1) 1/211

I at once replied thereto (Enclosure No 2) 2/211 communicating this official having received them with a similar notice verbally on the 5th day of May last.

I did so acting under the belief that Hon Hamilton Fish was

Secretary of State

Washington DC

our Govrnment would desire to revise the treaty at that time but if not that the notice might be recalled and no harm be done by it.

Submitting to your approval

I have the honor to be

Sir.

Your most obedient Servant

C. E. DeLong.

Enclosures

No 1. Letter from Japanese Govt giving notice that they would ask a revision of our Treaty

No 2. My reply to this Note

Legation U.S. July 4th 1871

C. E. DeLong

No 211

Received

Aug 21 Ans Aug 22

Acknowledging & thanking Department for Gen Grant's Message & the Report of Secretary Boutwell & stating a Duplicate of our Treaty would be appended to our Ratification of the Additional Articles when exchanged

"Copy"

No 4

U.S. Legation Yokohama Japan
July 2nd 1871.

To their Excellencies
The Ministers for Foreign Affairs.

Your Excellencies:

The undersigned Envoy Extraordinary and Minister Plenipotentiary of the United States of America in Japan, begs leave to acknowledge the receipt of your Excellencies note of date the 30th ult of June last- notifying your intention to require a revision of the treaty at present existing between our two Governments

At the same time the undersigned begs leave to remind your Excellencies of the fact that at an interview held with you at the Foreign Office on the 5th ult of May last, the undersigned, in behalf of the Government of the United States, had the honor of giving you a similar notice

With respect and consideration

C. E. De Long

Enclosure

No Legation Japan

With despatch 211

No 2.

Note to Japanese Govt-
in reply to theirs addressing
the that a version of
the Treaty would be claimed
in 1872. Addressing them
that I gave a similar
notice on behalf of our
Govt on the 5th of May
last

Dated July 2nd 1871

Copy of Translation

13th of the 5th Month 4th year of Meiji
30th of June 1871.

To His Excellency Chas. E. De Long, Envoy Extraordinary and Minister Plenipotentiary of the United States: Sir:

We beg to state the following to Your Excellency, that by the thirteenth Article of the Treaty of 1858 it is declared that on the 4th day of July 1872 or thereafter the said Treaty may be reconsidered.

As there are some Articles which want be re-formed by the period specified, we have the honor to give you the previous notice.

We have the honor to be Sir your obedient servants.

Sawa Nobuyoshi
Terajima Munenori
Ministers for Foreign Affairs

Legation Japan

With dispatch 211

No 1

Notice from the Japanese Govmnt that a mission of one Grade would be dispatched in 1872.

Dated June 30th 1871

Report Dispatch

Extract

United States Legation

Yokohama Japan July 5th 1871

DEPARTMENT RECEIVED AUG 22 1871 OF STATE

No 212

Hon E E De Long

Envoy Extraordinary and

Minister Plenipotentiary

Contents:

Requesting a reply to dispatch No 73.

Mr Pothaus Rail Road grant

matter.

No 212 United States Legation

Yokohama Japan July 5th 1871

Sir.

Not having received any reply from you to my despatch No 73 of the 8th of August 1870. about the Rail Road Grant to Mr Portman I beg leave to call your attention to that matter and respectfully solicit a reply; as the affair is of moment and as Mr Portman and myself have become estranged I am anxious to prevent any appearance of neglect of this matter as it might by him be attributed to personal prejudice. I have the honor to be

Sir

Your most obedt Servt

E. De Long

Hon Hamilton Fish

Secretary of State

Washington D.C.

Yokohama July 5th 1871

C & De Long

No 212

Received.

Asking reply to dispatch
No 93. about Rail
Road Grant to Mr
Portman.

Acknowledges receipt of Mr. Clarke's letter of July 22

Extract

DEPARTMENT OF STATE
RECEIVED
AUG 22 1871

United States Legation

Yokohama Japan July 6th 1871

No 213

From C E De Long

Envoy Extraordinary and

Minister Plenipotentiary

The conduct of Mr Johnson in this affair was [illegible] & deserves & receives the full approval and commendation of the Dept. Mrs Pratt is thus put to shame at all times the most friendly relations with Japan.

Rec'd 24 Aug

Contents.

Departure of a Japanese Embassy to Pekin China to make a Treaty with that Empire. Efforts put forth by me to prevent them from making a Treaty offensive and defensive. Success of my efforts. The Japanese Government invoke the aid of United States officials for this Embassy. Correspondence between us upon the subjects with copies of Notes forwarded by Mr. F. W. Seward and George F Seward Esqs.

No 213 United States Legation

Yokohama July 6th 1872.

Sir.

Several months since it was commonly rumored here that the Japanese Government was about to dispatch an Embassy to China to form a Treaty of Amity and Intercourse with that Empire.

Believing the condition in China to be somewhat critical and considering that it was very important to the civilized world and this Empire that Japan should not become openly committed to Chinese schemes or involved in her disputes. I felt called upon to labor to prevent this movement.

Having no right to demand any information about this matter and not

Hon Hamilton Fish

Secretary of State

Washington D C

Living

being asked for advice it was somewhat indelicate to undertake to obtain the necessary information; but fulling that it was an important duty I pursued my inquiries and my counsel soon upon this Excellencies the Ministers of this Empire until. I obtained from them a positive assurance that no other treaty would be asked for or accepted by Japan except one similar to the treaty existing between Japan and the United States, and the further assurance that I should be kept advised of all proceedings of the Embassy.

Accordingly upon the 20th of last month I was visited at my home by His Excellency Date Okimasoko. Prince of Owajima, Okuma first-Asst Minister of Finance and Ichibashi Cent-Interpreter who dined with me and advised me of the appointment

appointment of an Embassy for China with Dale as Chief with the rank of Envoy Extraordinary and Minister Plenipotentiary.

The Prince advised me very fully of his instructions and intentions and solicited my aid to secure the assistance of United States officials in China in his behalf. He also requested me to make necessary arrangements with the Pacific Mail S S Co for a suitable vessel to accommodate himself and suite to leave San Francisco &c. all of which I promised at once to exert myself to obtain for his convenience and assistance.

Mr George F Seward happening to be visiting me at the time I introduced the Prince personally to him and obtained his assurances of assistance so far as he might be of service.

Upon

Upon 26th of June I received the communication official communication upon the subject
1/213 (Enclosure No 1) which you will observe contains the assurances I had sought as to the nature of the Treaty that would be made.

Upon the same day I replied to Their Excellencies in a Note (Enclosure
2/213 No 2) promising to write for their embracing the aid of our officials in China.

On the following day I addressed a communication upon the subject to His Excellency T. T. Lew Minister at Pekin
3/213 (Enclosure No 3) and George F Seward Esq Consul General at Shanghai
4/213 (Enclosure No 4) ordering and requesting them as required.

I learning that Mr Lew was absent with

with the Flut-at-Bona (although not officially advised thereof) I accompanied my dispatch with a private letter to Mr Williams our Chargé des Affaires in China impressing in a strong light the seeming importance of his exerting himself to watch assist and control this embassy as much as possible and requesting him to advise me from time to time of its proceedings.

I have felt and reflect earnestly in this matter because in Japan I see a people distinctive from and dissimilar to the Chinese in all else than attachment to the doctrine of national exclusion which with them I believe to be more an idea of the past than a dread of the present although not yet sufficiently supplanted in their minds by modern ideas to be entirely

ruled

called upon.

The many beautiful and convenient ports of the Empire, outlying the Chinese and Corean Coasts; the rich coal fields the martial spirit and valor of the Japanese people; their vast numbers and recent armament and drill with the addition of their respectable navy including two iron clads makes of the Empire a power to be welcomed as an ally and dreaded as a foe by all civilized States should trouble occur with China or our troubles with Corea enlarge and menace.

To allow Japan from inattention to drift into an alliance with China at this critical period I regarded as calamitous therefore I have earnestly sought to prevent it and I hope I have been somewhat instrumental in doing so although I do

not

not know that any such action was contemplated by this Government.

I fear now that this Embassy if it has been to the promises made to me will return from China empty handed if not affronted for I imagine that the Chinese underrating the power of this nation and naturally expecting Japan to concur with them threats against the encroachments of the Western powers will be apt to mistake this overtures with scorn such as that Government in my opinion would if it dared meet similar overtures from western powers.

This visit I have also presented to the authorities but-fearing based by some promise made to the Chinese Government a year ago it has been resolved to send the mission at this time.

The

Embassy

Embassy sails to day at 4 Oclock.
Several members of which with their
Interpreter have just left my House
having called to pay me a farewell
visit.

Trusting to your kind approval
of my views and course in this matter

I have the honor to remain

Sir.

Your most obedient Servant

C E DeLong

Enclosures

No 1. Note from Japanese Ministers

No 2 My Reply thereto

No 3. Note to F F Low

No 4. Note to G F Seward.

Legation U S of A
No 213
Pekin Aug 6 1870

Sir

I have the honor to inform you that I have made the following appointments in the Consular service of China.

Thomas W Knox of New York to be Secretary of Legation and Interpreter at Peking.

Edward Bridgman of Massachusetts to be Secretary of Legation and Interpreter at Shanghai.

Charles Denby of Indiana to be Consul at Chefoo.

Walter A Macy of Illinois to be Consul at Hankow.

Charles Wirgman of Pennsylvania to be Consul at Kiukiang.

Edward Bridgman of Massachusetts to be Consul at Ningpo.

Thomas W Knox of New York to be Consul at Tientsin.

Charles Denby of Indiana to be Consul at Newchwang.

Walter A Macy of Illinois to be Consul at Amoy.

Charles Wirgman of Pennsylvania to be Consul at Foochow.

Edward Bridgman of Massachusetts to be Consul at Canton.

Thomas W Knox of New York to be Consul at Shanghai.

Charles Denby of Indiana to be Consul at Hankow.

Walter A Macy of Illinois to be Consul at Kiukiang.

Charles Wirgman of Pennsylvania to be Consul at Ningpo.

Edward Bridgman of Massachusetts to be Consul at Tientsin.

Thomas W Knox of New York to be Consul at Newchwang.

Charles Denby of Indiana to be Consul at Amoy.

Walter A Macy of Illinois to be Consul at Foochow.

Charles Wirgman of Pennsylvania to be Consul at Canton.

Edward Bridgman of Massachusetts to be Consul at Shanghai.

Thomas W Knox of New York to be Consul at Hankow.

Charles Denby of Indiana to be Consul at Kiukiang.

Walter A Macy of Illinois to be Consul at Ningpo.

Charles Wirgman of Pennsylvania to be Consul at Tientsin.

Edward Bridgman of Massachusetts to be Consul at Newchwang.

Thomas W Knox of New York to be Consul at Amoy.

Charles Denby of Indiana to be Consul at Foochow.

Walter A Macy of Illinois to be Consul at Canton.

Charles Wirgman of Pennsylvania to be Consul at Shanghai.

Edward Bridgman of Massachusetts to be Consul at Hankow.

Thomas W Knox of New York to be Consul at Kiukiang.

Charles Denby of Indiana to be Consul at Ningpo.

Walter A Macy of Illinois to be Consul at Tientsin.

Charles Wirgman of Pennsylvania to be Consul at Newchwang.

Edward Bridgman of Massachusetts to be Consul at Amoy.

Thomas W Knox of New York to be Consul at Foochow.

Charles Denby of Indiana to be Consul at Canton.

Walter A Macy of Illinois to be Consul at Shanghai.

Charles Wirgman of Pennsylvania to be Consul at Hankow.

Edward Bridgman of Massachusetts to be Consul at Kiukiang.

Thomas W Knox of New York to be Consul at Ningpo.

Charles Denby of Indiana to be Consul at Tientsin.

Walter A Macy of Illinois to be Consul at Newchwang.

Charles Wirgman of Pennsylvania to be Consul at Amoy.

Edward Bridgman of Massachusetts to be Consul at Foochow.

Thomas W Knox of New York to be Consul at Canton.

Charles Denby of Indiana to be Consul at Shanghai

"Copy of Translation"

Yokei 24th June 1871
9th day of 5th month 4th Meiji

To His Excellency
Charles E. D. Long
Envoy Extraordinary and Minister
Plenipotentiary of the U.S. America:
Sir:

We have the honor to state to Your Excellency, that the Empire of China being the nearest neighbor of our Country, it is desirable that the both nations to have the friendly intercourse and establishment of Commerce. Having this in view His Majesty The Tenno intends to send Date Okuranokio Mareki to that Country with full power to conclude the General Treaty between two Governments in the same spirit that exists between different Powers.

The Embassy is ordered to leave here in a few days, and we wish your Excellency will kindly Communicate it to the U.S. Minister in China, and request him to give any required assistance to them.

Moreover, as they will necessarily [illegible]
Shanghai

Shanghai on their way both going and re-
-turning, we ask the same favor for the U.S.
Consul General at that port.

The Ambassador will be in capacity of
Envoy Extraordinary and Minister Plenipotentiary
the officers to consist the Embassy are —
Tanagiwara Saki Kuto: Ida Masuichi,
Ide Naga Fumi and few others.

We have the honor to be Sir,
Your obedient Servants

Sawa Nobuyoshi
Terajima Munemori
Ministers for Foreign Affairs

Japanese Ministers

U. S. Dept. of State

Dated June 14th 1871
Received June 26th 1871

Japanese to make treaty with China. The good services of American officials invoked

Copy of Translation

Delegation Japan

With despatch 213.

Note from Japanese Ministers informing me of the departure of an Embassy for China with an account of its purposes.

No 1

Dated June 26th 1871

Copy

No 2. U.S. Legation Yokohama Japan
June 26th 1871.

To their Excellencies
The Ministers for Foreign Affairs. etc etc

The undersigned Envoy Extraordinary and Minister Plenipotentiary of the United States of America, has the honor to acknowledge the receipt by him of your Excellencies letter of date the 24th inst. advising him of the determination of His Majesty The Tenno to dispatch an Embassy to the Chinese Empire to conclude a Treaty with that Power,- dispatching as his Envoy Extraordinary and Minister Plenipotentiary His Excellency Date Okuramoto Muneki; accompanied by Yamaguwachi Sakimitz; Ikeda Masuichi: Tee Kuga Tsuni and others: and requesting of the undersigned that he will by proper communication to the American Minister at Pekin and the American Consul General at Shanghai indorse them to use their good offices in assisting His Majesty's Ministers in accomplishing the purpose of his mission.

In reply, the undersigned begs leave to assure His Majesty, that the requests made will be promptly complied with, and the undersigned has no doubt but that all officers of the United States Government stationed in China will heartily and cordially cooperate with His Majesty's Minister in his laudable efforts to establish wise and just treaty relations between the neighboring and ancient Governments of Japan and China

The undersigned in conclusion begs leave further to tender to His Majesty The Tenno his congratulations in having selected so wise and able an Empress

With respect and consideration

E. H. Yung

With dispatch 213

Note addressed to the Japanese Ministers in reply about the Embassy to China

No 2.

Dated June 26th 1871

Copy

No. 1. U.S. Legation Yokohama Japan
June 24th 1894.

Sir: I have just been officially informed by the Ministers for Foreign Affairs of this Empire that it has been determined by His Majesty the Tenno, to dispatch to Pekin in a few days an Embassy to conclude a treaty with China, on the basis of the treaties between Japan and other foreign countries: that one Date Okuramokoo Minki is Envoy Extraordinary and Minister Plenipotentiary will head the mission, and that your good offices, in assisting the Embassy to accomplish its purpose, is much desired.

Having promised their Excellencies to write to you soliciting your assistance, I do so and beg leave to solicit that you will extend all courtisies and assistance to the Embassy that you reasonably can.

For a long time I have known that the sending of such an Embassy was in contemplation by these authorities, and I have at times feared that its object was to arrange a treaty with China inimical in its nature to the civilized powers. I have earnestly united all of the influence that I could command to prevent such a thing, and have finally obtained an official assurance from this

this Government, that no other treaty would be sought for, or accepted by Japan, than one similar in its nature to the European and American treaties with this Empire.

I beg leave to suggest to you that it is a matter of very great importance to stimulate this resolution, and, to that end, if you will, at once, associate yourself officially with this Japanese Envoy, and co-operate with him in discharging his duties, you may be able to prevent any unwished for result, and thus work a great common good, besides conferring a favor on this Government of no small degree of importance, which will materially strengthen American influence here: at all events, such a cooperation will tend to keep you fully advised of events as they occur, which, if in any unusual or unexpected, I shall trust to your courtesy to secure immediate information about. Again expressing the hope that you will give this matter your earnest attention, and extend to the Embassy all possible courtesies, I remain Sir

Your most obedient servant

E. E. Low Esq
Envoy Extraordinary and Minister
Plenipotentiary of the United States
of America in China

C. B. D. Long

Copy

No 2 United States Legation

Yokohama Japan June 29th 1861.

Sir:

Today I recived official notification from this Government, of the intention of His Majesty The Tenno, to dispatch, in a few days, an Embassy to China empowered to conclude a treaty with that Empire on a similar basis to those existing between Japan and foreign States. In that note I was requested to invoke your good services in assisting, in such measure as may be in your power, this Embassy to consumate its purpose.

Prince Date Okumanokoo, with the rank of Envoy Extraordinary and Minister Plenipotentiary will be at the head of the Embassy. Invoking your cordial assistance to its aid, I have the honor to be sir

Your most Obdnt Servant

R. H. Pruyn

George F. Seward Esq
U.S. Consul General
Shanghai China

Enclosure

Delegation Japan

With dispatch 213.

Note to Hon. F. Seward

Secy about Embassy

to China from Japan

No 4

Dated June 27th. 1871

Entered
Ack 22 aug
Acked 18 Sept

DEPARTMENT
RECEIVED
AUG
22
1871

Dr Pratt.

United States Legation

Yokohama Japan July 7th 1871

No 214

From Chas De Long

Envoy Extraordinary and

Minister Plenipotentiary

Contents.

Instructions asked as to the course to be pursued by United States officers in extending protection to persons and Commercial Houses whose members are of different nationalities including one or more citizens of the United States.

No 214 United States Legation

Yokohama Japan July 7th 1871

Sir.

I beg leave to request your advice and instruction relative to my line of duty with relation to Japn and Commercial Treaties Com composed of men of different nationalities including one of our own citizens when such Japn or Treaties asks American protection and the latter member is not a citizen of the United States.

When I arrived here I found that my colleagues including my predecessor had observed the following rules, to wit.

First

A Japn or Commercial Treaty

Hon Hamilton Fish Composed

Secretary of State

Washington D.C.

composed of men of different nationalities had been allowed to choose the protection if deemed, such selection was a nationality of which one or more of the members was a citizen or subject. Such selection to be evidenced by the voluntary registration of the firm or firms in the Consulate of the power selected.

Second.

In the case of such a firm or firms having made no such selection and registration it was to be treated and considered of the nationality of the individual member first-named in the firm; that is the senior partner and to be governed accordingly.

In your dispatch No 36. of the 20th day of October 1870. I was directed

to

to instruct our Consular Officers in Japan not to register firms or commercial houses but only individual citizens of the United States. This direction I at once followed by issuing instructions to that effect as reported to you by me in my No 113 of the 26th of November 1870.

The practical result of this instruction is to cut me off from following one of the above quoted rules which my Colleagues then all observe, and renders it impossible for any firm or House of mixed nationality to obtain American protection unless the senior member happens to be a citizen of the United States. The advisability of adhering to this rule I submit to you simply remarking that it somewhat lessens our business and importance here which

6

is slight enough at best- and compels
American citizens so situated to live
under foreign protection

The large commercial house of
Schultze Reis & Co. doing business at Kobe
and this place having been organized
before my arrival and desiring to
continue under American protection I
have by directions given to our Consular
officers allowed it to remain organized
This giving to your instructions only a
future and not a retroactive effect-

Mr Reis one of the members of that
firm is a North German and is the North
German Consul at Yokohama but Mr
Schultze is the senior member and is an
American citizen.

What I desire to know is this;
Shall I continue the instructions to our
Consuls

Consuls prohibiting the registration
of firms and commercial houses
not if so what cause shall be
pleaded if a firm or house composed
of men of various nationalities —
including a Citizen of the United
States applies to the consular offices
of our Government for protection
the senior member of the firm not
being an American Citizen

I have the honor to be
Sir
Your most obedient Servant
O E Da Long

Mr Legation Japan
July 7th 1871

Mr Bodisco

No 214

Received

Asking instructions about extending protection to certain firms and Commercial Houses

Ent Feb 28 acks
Dr Pratt

United States Legation

Yokohama Japan July 7th 1871

No 215

From C E De Long

Envoy Extraordinary and

Minister Plenipotentiary

DEPARTMENT
RECEIVED
AUG
22
1871
OF STATE

Contents

Giving address about the matter of the attempted assassination of C E Long at Nesagata. Efforts made by the Japanese Authorities to arrest the offenders

No 215. United States Legation

Yokohama July 7th 1871

Sir.

Referring to my despatch No 205 by the last mail advising you of the attempted assassination of an English subject at Nee-gata named Craig I beg leave to advise you that Mr Craig has arrived at Yedo and is considered to be in a fair way of recovery.

On the 1st of this month I received from the Minister for Foreign Affairs a note relative to this subject (Enclosure No 1) and to day I forward an official proclamation issued by the local Government at Nee-gata published in

Hon Hamilton Fish

Secretary of State

Washington D C

/215

ous of the Daily Newspapers (see
2/215 (Enclosure No 2) by which it
appears that this Govmnt is
making earnest efforts to
apprehend the aggressor.

Rumor says that this man King
pursued a course of conduct that almost
caused him to merit the misfortune
he has met with

I have the honor to remain
Sir, your most obdt Servt
C E de Long

No 1. Note from Japanese Govt
No 2. Printed proclamation of Navigate Authorities

Yokohama Aug 7th 1875
C E de Long
Lieut USN
Relative 2/215
Enclosures
Attack upon the
Steamer Benkio Maru
by Pirates
Navigate

(Copy translation) The 2d day of 5th month

4th year of Meiji

To 19th June 1871

His Excellency

Charles E. De Long Envoy Extraordinary

and Minister Plenipotentiary

Sir.

We have just been advised by

Express from Nagasaki which arrived

here on the 17th inst that on the night

of the 12th inst (25 day of 4th month) a man

whose name and person is not known

had obtained into the house of an Englishman

named King and after murdering him by

giving him several cuts made his

escape. It is reported that the

wounds are not mortal

We caused immediate steps to be

taken to find up the offender and

also

also we have dispatched officers and
ordered the provincial government near
that place to assist in his pursuit
and capture in the shortest time
possible. We respectfully write
this for your information

With highest Esteem

We have the honor to be

Sir, Your obedient Servants

Sawa Nobuyoshi

Terashima Munenori

Ministers for Foreign Affairs.

Enclosure
Mitsuyoshi Yokoi
Vice Governor
With dispatch No. 215

No 1

Note from Mitsuoka
Governor Aomori
to
Vice Governor Yokoi
of Kanagawa

Dated June 19th 1871

THE JAPAN MAIL DAILY ADVERTISER.

YOKOHAMA, FRIDAY, JULY 7, 1871.

THE following translation of the notification issued by the Government at Niigata upon the discovery of the attempt to assassinate Mr. King will doubtless interest our readers:—

COPY OF NOTIFICATION.

Last night some individual whoes name is unknown crept secretly into the house of the Englishman, engaged by the government as teacher, and, after inflicting wounds on him, ran away. The existence of such a violent and wicked person, in spite of all the proclamations which have heretofore been issued on this subject, injures the good name and dignity of His Majesty, and no act can be more disgraceful to Japan In consequence of the flagrant nature of this act, minute and searching inquiry will be made, and any person who may have heard, or know of the slightest circumstances likely to afford a clue is hereby called upon to put a sealed paper into the comp'aint box or to report it at the governor's office; and as the person who, upon inquiring, is found to have stated a fact, shall receive a reward of one hundred ryo, let such declaration be made without hesitation.

This is to be notified to all, even to the lowest, without loss of time.

NIIGATA KENCHO.

Legation Japan

With Despatch 215

Proclamation by the Regents Authorities

No 2

Without date

Ext Sab Copy to Hon Mr Bancroft
Acknowledges receipt of 1 relative to Japan Coal Ark 22 Aug to Pratt

United States Legation

Yokohama July 11th 1871

No 216

From C & De Long

Envoy Extraordinary and

Minister Plenipotentiary

Contents.

Acknowledging receipt of Despatch No 85. and advising [illegible] of my proceedings thereunder.

No 216 United States Legation

Yokohama Japan July 11th 1871

Sir.

I beg leave to acknowledge the receipt of your dispatch No 85. with its enclosure the Letter to Baring Brothers & Co authorizing me to draw upon them for the sum of five hundred dollars to meet the extra expense of my native Clerk and directing me to dismiss him.

Thanking you for your kindness I beg leave to advise you of my having enclosed and forwarded to Messrs Baring Brothers & Co the original Letter that you forwarded to me Hon Hamilton Fish

Secretary of State

Washington D C

me in explanation of my draft upon them for that amt. and that I no longer have the Native Interpreter in my employment and an assistant or attache of any nature whatever in this Legation.

I have solicited the Japanese Government to supply me with translations of their Notes and I rec through their kindness their own interpreter at our interviews; whilst in general conferences the interpreters of other Legations kindly act for me also. whilst acting for their chiefs.

Some Letters that I have recently received without translations I have asked Dr Hepburn to translate assuming from that I would ask for proper payment to be allowed or otherwise that I would pay

them

him myself.

So far he has kindly assisted me.

I beg leave to assure you that for the salary now allowed by Congress no competent native or foreign interpreter can be engaged here. If Congress will increase the pay to five thousand dollars per annum and the rank to that of Secretary and Interpreter of Legation in such case and in such case only can such assistance be procured.

I beg leave to earnestly request such a recommendation to be made to Congress. And in the mean time I will hire such assistance as I need and trust that I will be allowed to pay for it out of the undrawn appropriation for Interpreter for this Legation but if not

I

I shall of course expect to pay for it myself.

Certainly the President and Congress must both recognize the truth of the statement that to secure a successful administration of my office I must surround myself with such an assistant; That I have no object but the public good in recommending it as the means of saving such an office cannot in any way result to my personal pecuniary advantage; and as for the sufficiency of bonds given by me to warrant my leaving a Secretary; that you can best judge of.

I am Sir to be

Sir

Your most obedient Servant

C. C. Dewey

Ext Asst

Mr Pratt

United States Legation

Yokohama Japan July 11th 1871

No 217

DEPARTMENT RECEIVED AUG 22 1871 OF STATE

From C. E. De Long

Envoy Extraordinary and

Minister Plenipotentiary

Contents.

Advices of drafts for salary to June

30th 1871. and for Contingent Expences

Enclosing Copies of Account-Current

of this Legation; Vouchers for Expenditures

&c

No 217 United States Legation

Yokohama Japan July 11th 1871

Sir.

I have the honor to advise you of my having drawn a draft on Baring Brothers & Co for the sum of (£660. 18/9.) Six Hundred and Sixty Pounds Eighteen Shillings and Nine pence dated June 30th 1871. and also one on you of same date for the sum of ($221.04/100) Two Hundred and Twenty one 04/100 Dollars; the same being for Salary for the quarter ending June 30th 1871 and Contingent Expenses of this Legation to that date including Loss by Exchange.-

I have the honor to forward to Hon Hamilton Fish your Secretary of State Washington DC

1/217 (Enclosure No 1) Statement of my account-

2/217 (Enclosure No 2) Abstract of Contingent

Expenses of this Legation. (Enclosure No

3/217 3.) Exchange Vouchers for draft on you

with Certificate of its sale. (Enclosure

4/217 No 4) Same for draft on Baring Brothers

5/217, & Co. (and No 5) Vouchers in support of my

Contingent Expense Account

Included amongst the latter are

Charges in my Contingent Expenses account

is an Expenditure of the sum of Fifty

Dollars for monies donated for the

support of a Small Pox General

Hospital at this place

As you are perhaps aware that

disease raged fearfully here a few months

since two of our men of war vessels being

quarantined with it. The United

States has no Hospital or Alms House

here

them whilst a good proportion of the diseased helpless and suffering invalids were Americans.

In this extremity a volunteer association was formed and monies raised and a Hospital erected and conducted at which the suffering poor of all nations were received. To this I could not well refuse to subscribe and to subscribe liberally. I gave at various times and in various ways but the first and main subscription of mine was the sum of fifty dollars which I have charged in and respectfully request to have allowed in this account.

Trusting to your kind approval

I have the honor to remain

Sir

Your most obedient Servant

O. C. Dewey

Enclosures.

No 1. Statement of account

No 2. Abstract of Contingent Expenses

No 3. Exchange Voucher for Draft on Department

No 4 Do for Draft on Baring Brothers & Co.

No 5. Vouchers in support of my Contingent Expense account

Ent 22 Aug

Ex of mulls

W Pitt

1

United States Legation

Yokohama Japan July 14 1871

DEPARTMENT OF STATE RECEIVED AUG 22 1871

No 218

Hon C C De Long

Envoy Extraordinary and

Minister Plenipotentiary

Contents.

Wm A L C Portman imprisoned for

Contempt by me for refusing to obey my order

directing Smith delivery up the deed to Lot No 97.

The Deed obtained and Defendant discharged

Communicating full account of proceedings

with Correspondence &c.

No 218 United States Legation

Yokohama Japan July 14th 1871

Sir;

Referring you to my dispatch No 122. of the 22nd of December 1870 I beg leave now to report to you my further proceedings in attempting to procure from Mr A L C Portman the title deed to Bluff Lot No 97. in this City.

I concluded that dispatch by advising you that I had issued an attachment for Mr Portman directing him to be brought before me to show cause, if any he could, why he should not be punished for contempt for having refused to obey the writ issued by me (on Hamilton Fish directing

Secretary of State

Washington D C

directing him to deliver up that instrument to be filed and recorded in this Legation.

About the time of the issuance of the writ, Mr Portman absented himself from this place and remained absent until about six weeks since, when he returned to his usual place of residence.

Immediately thereafter, the Marshal applied to me to know if he should serve the writ, and on one or two occasions I directed him to delay doing so, as I was in hopes that Mr Portman would yet comply with my order, and I was very desirous that he should do so, and thus save bringing disgrace upon him and unpleasant comment upon this Legation.

Actuated by these motives, I sought through the instrumentality of several persons, mutual friends of Mr Portman and myself

myself to persuade him to comply with my order; and in order to do so, I authorized him to assure him on my behalf, that I had no desire to deprive him of his property or of his possession of it; that unless he surrendered that deed to me, so that I could lay all of the facts of the case before you, that he would never be able to get his little yacht, or know what the result of his claim to it would be; that the simple filing and recording of that instrument in this Legation where it belonged, could not possibly work any harm to him, or prejudice in the least, whatever claim he had to the land; whereas, if he did not obey my order, I should feel compelled, by a sense of duty to direct his imprisonment until he did do so.

All of these overtures failing to produce any result, except his continued contumacy, I, at last, directed the Marshal to serve the writ,

which

which he did, by causing Mr Pitman and producing him before me at this Legation on the 5th day of last month; At the same time returning said writ with his proceedings endorsed in writing thereon

1/218 (Enclosure No 1).

Mr Pitman, when produced, admitted his possession of the instrument, and claimed that he had the right to his possession.

I informed him, in reply, that in my opinion, it was one of the archives of my office, and, as such, should be recorded and filed there; that by taking it completely and refusing to re-deliver it, as he had done, he had committed a serious offence deserving punishment; but that, for many reasons, I did not wish to inflict any punishment upon him; nor would, but if he would, at once, deliver the instrument to me. He then

[illegible] stated, as a further reason for not having done so, that he believed that if that instrument was placed on file and recorded by me, that it would operate to pass the ownership of the land into the Government of the United States. That after that, neither you nor I could do aught to save his rights; but that only an Act of Congress could relieve him. That he had written to you during last December, advising you fully of all of the facts of the case; that he had been expecting a reply by every mail which he thought would, when it did come, contain directions settling the whole matter in some way. He begged me to allow the matter to stand as it was, at least until the arrival of the next mail, due here on the 24th of June. In reply, I stated to convince him of

of this Court in suppressing that the filing and recording of the deed would operate to vest or divest any rights, or have any other or further effect than to simply perpetuate the evidence of existing facts. Finding him, however, to be incredulous, and fresh in his opinion, I then told him to produce the deed and the assignment, so that I might copy them, and transmit copies to you, and I would leave him in the possession of the original instruments, at least, until after the arrival of the next mail.

To this direction he urged the same objections, based upon the same grounds, when, to humor him, and, in hopes that full instructions about this might reach me by the incoming mail, I made an order directing his temporary discharge from arrest, until the arrival of the mail due him on the

24th. of June, at which time, immediately after its arrival he was directed to report- him with such advices as he might receive from you upon the subject, or in default of not receiving any, to purchase the instrument required at that time. This he promised to do, and left. The mail arrived early in the morning of the 25th. of June; I waited until noon of the 27th, when, Mr Portman not having reported himself to me, or vouchsafed any explanation, but on the contrary, having openly expressed his determination not to surrender the instrument, I, on that day, issued a Commitment (Enclosure No 2), directing his imprisonment until he should purge himself of contempt of my process by surrendering the Deed. 2/218

(For my authority please see Section 209. of the Consular Court-Regulations for Japan)

On

On the 28th inst of June the Marshal returned the Committment with his proceedings

3/278 endorsed thereon in writing (Enclosure No 3) shewing that on the 27th of June he arrested Mr Portman and placed him in prison.

On the same day one G W Hill Esq appeared before me as Attorny for Mr Portman, and stated that Mr Portman had advised him that the papers I required were in Gaol, whereupon he could not procure them in compliance with my order. Mr Hill therefore requested me to direct Mr Portmans release to enable him to proceed to Gaol and procure the papers.

I ~~then~~ made an order directing the Marshall at once upon this being advised by Mr Portman in writing, that the papers were in Gaol, and that he desired to proceed there to procure them, to take him from prison and proceed with him

him to Hyde and to at once release him from custody upon receiving the papers from him. (Enclosure No 4) 4/218

I at once advised his Attorney of my having made this order. (Enclosure No 5) 5/218

On the 3rd inst the Marshall informed me by letter (Enclosure No 6) that on the 30th of June, Mr Portman by one G W Monks appearing as his Attorney, had delivered to him the Lease and Assignment called for by my writ. (Enclosure No 7), accompanied by a Map or diagram of the premises, (Enclosure No 8) and that immediately upon this receipt by him he had released Mr Portman from custody. 6/218 7/218 8/218

I am also addressed the Governor of Kanagawa a Note (Enclosure No 9) enclosing to him the documents received from Mr Portman for his examination and requesting 9/218

requesting them to advise me if they were the original that he had previously expressed a desire to see.

70/218 I received this reply, (Enclosure No 10) advising me that they were original, and that was that Mr Portman had refused to show them; and further assuring me, that these permits were granted by the Japanese Government to the United States for temporary legations purposes during the time that Mr Portman was acting as Chargé d'Affairs for the Government.

So much in regard to the proceedings taken by me to procure the possession of these documents, now I beg leave to call your attention to the instruments themselves.

The original loan, as delivered to me, is in Dutch text, bearing a signature in Japanese. and the assignment by Mr.

Portman

with my indications written in English, and underneath which is the impress of the seal of this Legation.

This instrument, you will observe from its translation is, as the Governor of Kanagawa states, a lease of Lot No 97, to the United States Government for a temporary Legation residence; accepted as such in exchange for a certain piece of land in the City proper near Benten gawa whose the Italian, French and North German Legations are at present.—

Mr Portman made the exchange and reported the same to you in a dispatch No 5 of the 22 of January 1866.

The original Lot was obtained by Mr Pruyn and reported to you in dispatch No 7. of the 21st of January 1865.

Thus as to the purpose

purpose for which it was procured than remains for any controversy. The Japanese regard it as being the sentiment of the United States and are at a loss to understand why our Government will hold it, or allow it to be held, and not pay them the stipulated sum for it.

They stipulated in the lease they gave of it in as strong and binding terms as it is possible to use, that this ground should not be transferred, bartered or sold; by the Representatives, and yet they are advised by Mr Portman that Minister Van Valkenburgh transferred this land to Linn, and that the United States Government through the Asst Secretary of State ratified this act.

They are at an entire loss to understand this proceeding, and I am quite as much surprised

suppressed to find such an act done by
my predecessor with such a clause
existing in the instrument that he
assigned. My opinion is that it was
not translated, nor correctly interpreted to
him; and that he endorsed that assignment
upon that instrument under a misapprehension
as to its contents.

Certainly the assignment amounts
to nothing for several reasons;
First; for want of authority in Mr Van
Valkenburgh to convey the property;
Second; because the property by the terms of
the lease is not transferable; and, to be
technical, the assignment only purports to
assign the lease, and not the land; and
also, because there was not, nor never has
been, any such person as A L C Portman
Secretary of the Legation; and if there
had

loan, and such an assignment could have been valid, as such, it would have only transfered it to the Secretary of the Legation, and not to the individual filling the office.

I have searched the records of this Legation and have failed to find that this act of assignment was ever reported to your Department by either Mr Portman or General Van Valkenburgh.

Mr Marks, as Attorney for Mr Portman, applied to me in writing to allow him to furnish, to be enclosed with this dispatch, evidence of the character and value of the improvements that Mr Portman has made on this land. 11/278 (Enclosure No 11).

This request I at once granted. 12/278 (Enclosure No 12.) Subsequently Mr

Mr Marks called upon me and advised me that after he had prepared an affidavit for Mr Portman, that he, Portman, changed his mind and concluded not to send anything as proposed; he begged me however to wait for a few days until he could see Mr Portman again, and try to convince him that it was his best policy to do so. He has since written to me (Enclosure No 13); informing me that Mr Portman will not follow his advice. 13/218

Thus this matter is at last before you, with all of the facts carefully detailed, so that you may now give instructions with full knowledge of the subject.

I respectfully submit, as my opinion, that this is but one disguised and perfidious way for our Government to act

act, and that is, to take possession of what belongs to it, and pay this Government what it owes upon it.

The property is, unquestionably, one of the most desirable places in this rapidly growing City. I know numerous persons anxious to buy it at a large price. For an office for this Legation it is exactly suited, and the buildings upon it would answer all purposes; and those, the records would be safe from fire.

The only point I think I could get reduced, and as the Japanese are most anxious to have this little matter adjusted in some way; I trust that in reply to this, you will instruct me to take possession and pay the rent; or to notify the Japanese

Japanese Government that we do not claim
these premises, or any other land in
Yokohama for Legation purposes.

As regards my action in assisting
and in preserving Mr Portman, I leave
the record to make its own argument.

As Minister I believe that I am
armed with all necessary authority
to protect the archives of my Legation
from destruction.

This man pawned this paper;
held it in defiance of my orders;
replied to my reasonings by refusals;
and met all peaceful overtures with
scorn; until he compelled me to
make known to him the power of the
office that he seemed to defy.

Believing that I was right,
I have acted firmly, but I trust
justly

justly, our what I have done, I submit with cheerfulness to your superiors asking for your judgment about this whole affair; whether for or against my proceedings.

without any more delay than your said duty necessary.

I have the honor to be

Sir

Your most obedient Servant

C E De Long

Enclosures

No 1. Return on writ of Attachment

" 2. Commitment

" 3. Return on Commitment

4. Order directing the Marshall to proceed to Yedo with Mr Portman for the papers

5. Notice to Portman Atty of this order.

6. Letter from the Marshal advising me of

of Sir Harry forwarding the papers and
Messrs Mr Portman

7. Lease and Assignment
8 Diagram of premises
9. Letter to Governor of Kanagawa
10 Reply from Governor and Vice Governors
11. Letter from J. W Marks Atty of
Mr Portman asking permission to send
Affidt of Portman - with this despatch
12. Reply to Mr Marks
13. Letter from Mr Marks informing
us that Mr Portman had refused
to obey Sir address

Japan July 14th 1871

C. E. De Long

No. 218

Various Enclosures

Received

Declaring arrest & imprisonment of Wm Portman. His delivery to Tattidaidzh Sot-gi. Commdg Copy of the same and other documents.

Copy. — Return on Attachment —

I Hereby Certify that I received the within warrant on the 5th day of December 1870 and served the said warrant by arresting the within named A L & Portman and bringing him before H E the Hon E E Dr Long Co Ex Off P of the NS. this 5th Day of June 1871

W W Dennison
NS Marshall
by J White
Deputy NS Marshal

Enclosure

No Legation Japan

With Despatch 218

Return of the Marshal on the Writ of

Attachment.

No 1

Dated June 5th 1871

U.S. United States Legation
Yokohama Japan June 27. 1871.

Ministerial Court

In the matter of a
A & C Portman proceeded against
for contempt of this Court

To Wm Dennison Esq
Marshal Presiding
A & C Portman Esq

having been proceeded against
for a contempt of this Court
in having withheld certain
title deeds and papers the property
of this Legation after having been
commanded to deliver the same
by this Court and he therewith-
holding the same admitting at
the same time that he has and
holds said papers in his possession
It is therefore ordered and direct-
ed that he the said A & C Portman
be and he is hereby committed
to your charge and custody to be
kept in confinement by you un-
til such time as he shall purge
himself from said contempt by

making due delivery to the
Court of the said papers bond
of a Lease of the premises wh
he now resides executed by t
Japanese authorities in fav
of the United States Consul
and of a certain other instru
ment assigning the said Lease
to him said A. L. C. Portman
until further otherwise direct
herein by this Court

Hereof fail not but mak
immediate service and due
return of this writ.

Given under my hand a
the seal of this Legation the
and date first above writ

Signed C. E. Dudley
Envoy Extraordi
and Minister Plenipotenti
of the U.S. of America in Jap

(seal)

Filed Sept. 27, 1878

No 2

Committed-

Wm. Pelletreau

Copy of Marshall's return on the Committment.

I hereby certify that I received the within warrant on the twenty seventh day of June 1871 and served the said warrant by arresting the within named A L C Portman and confining him in Jail this twenty seventh day of June 1871

by N W Dennison
U S Marshal.

Enclosure

U.S. Legation, Japan

With dispatch 218

Marshal's return
on the Commitment

No 3.

Dated June 27th 1871

Copy

U. S. Legation
Yokohama June 28th 71.

W. W. Dennison Esq
U.S. Marshal etc etc

Sir:

Whereas Mr Portman, in writing, advises you that the papers forgiven and in Yeda and requests you to allow him to proceed there to procure them, you will at once accompany him thence; and, at any time when he delivers the same to you, you will at once release him from custody.

Yours Very Truly
L. S. D. Long

Enclosure

No Legation in Japan

With dispatch 218.

Order for Marshal

Pierce to Yedo

with Mr Portman

No 4

Dated June 28th 1871

copy

U. S. Legation Yokohama
June 28th 1871.

Sir

I am asked to your application, made to me this morning, for the temporary release of Mr Putnam in order to enable him to procure the papers that I require him to deliver to me. I have directed the Marshal to take Mr Putnam from jail whenever he requests in writing that he may be taken to Yedo to procure them, and accompany him to that city for that purpose

Yours very Truly
E. H. Yorke

To W. Hall Esq
Atty for A. L. E. Putnam

With dispatch 218.

Notice to Mr Hall of
his order for the
temporary release of
Mr Portman

No 5.

Dated June 28th. 1871

Copy

Consulate of the United States
Kanagawa (Yokohama) Japan
July 3d 1871.

Hon. E. C. Benson
C. C. & M. P. of U. S.

Sir:

On the 30th ult I received the Title Deed of the U.S. Legation Bluff Lot from F. W. Marks Esq Atty for U.S.C. Portman together with the transfer from Hon. Geo Van Valkenburg to Mr Portman, and a map of said Bluff Lot, all which are herewith enclosed; and in accordance with the instructions contained in your Esteemed letter of the 28th ult. I released Mr Portman from confinement upon receipt of the papers above referred to

I am Sir
Your Obt Servt
H. H. Lamont
U.S. Marshal

Miscellaneous Papers

Dirk Alabaster 2.18.

Letter from the Marshall
Superintendent of the
Removal of the Potta-
watomie Indians
by Robert Lucas
Governor of this Territory

Dated Burlington T. 1838

Title Deed

Kayakawa Hotonokami, Governor of Kanagawa
rented a piece of ground situated in the neighbourhood
Temple Dzuto Kuin and the piece of ground given by
Government to said Temple, and described in the annexed
, measuring One thousand and One hundred Tsubos
) in consideration of the payment of the Sum of three
dred and seven Mexc. Dollars and Seventy two Cents ($307 72/100)
ually commencing with the tenth month of the first year
ow (Wosi) corresponding with December 1865. of the
stian Era, to his Excellency Ab. C. Portman, H. B.
yé d'Affaires, the said piece of ground to be a temporary
ican Legation as long as the American Minister stays
his Post with our concurrence, his official residence being
ds and the payment of the sum of three hundred and
Mex Dollars and Seventy two cents being hereby
knowledged, I hereby declare that the above mentioned
of ground is rented to the American Minister, as
as he pays the ground rent as the stipulated time
the Finance Official.
t is therefore agreed by H. E. Ab. C. Portman that
long as he or his successor may stay at this Port
his own convenience as before named the said piece of
ound shall not be transfered or Exchanged or let, that
Regulations made now or hereafter by the Japanese
horities will be observed, and that the said ground
of three hundred and seven Dollars and Seventy
Cents will always be regularly paid.

The 10th month of the First year Keiow (1865 Esi)
(February 1866)

Kayakawa Soto-no-Kami.
in Japanese writing

N.B. The above mentioned piece of ground is g...
instead of the lot in the Sinsi Tancho at Kanagawa ...
intention of Building a Church on the above ...
place has been abandoned.

The foregoing deed is hereupon to be ...
Esq. Secretary of the Legation of the United Stat...
Japan.

April. 1869. /Signed/ R.B. Van Valkenburgh
Minister Resident of th...
U.S. in Japan.

U.S. Legation Seal.

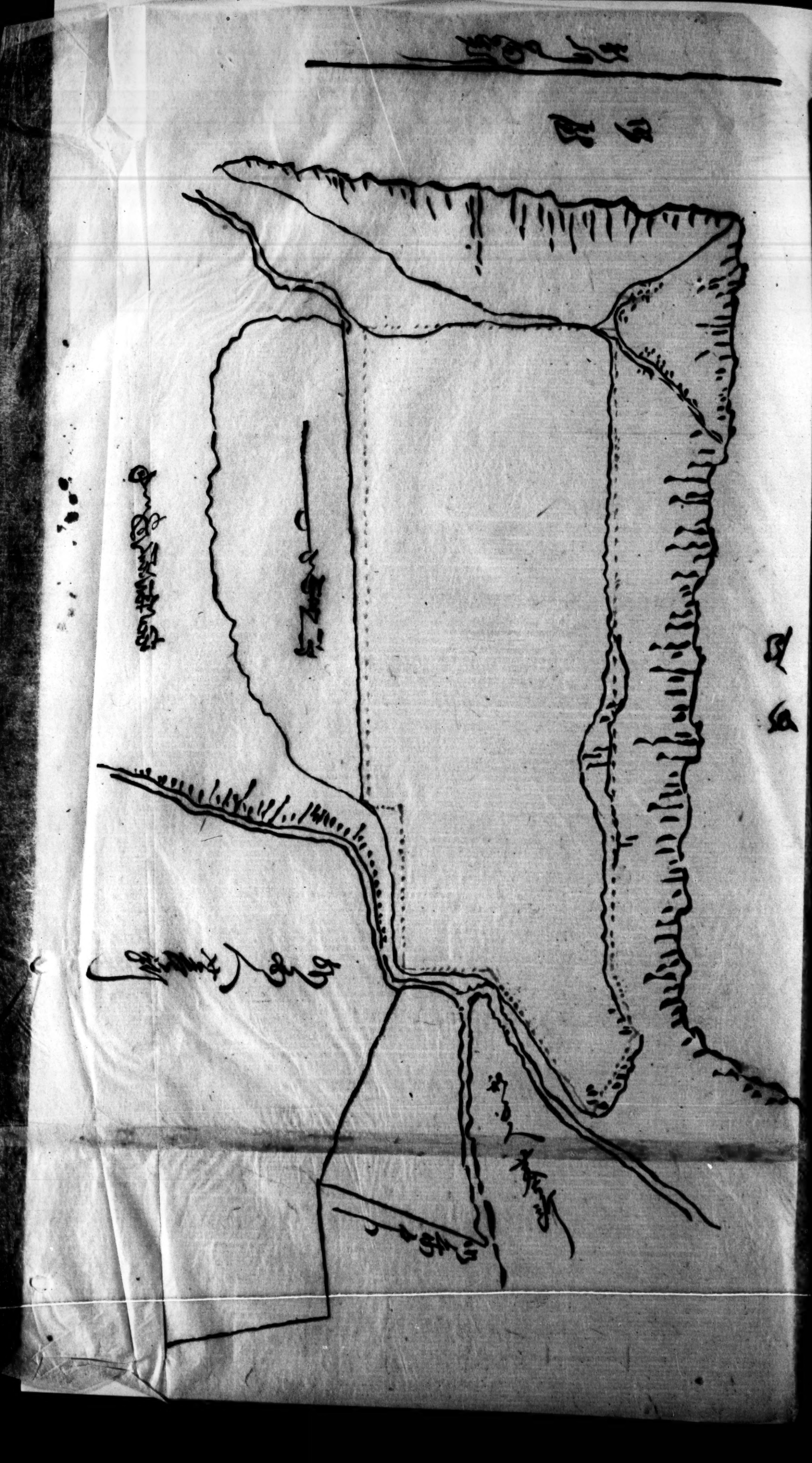
Filed Aug. 26th 1869 No. 218

Copy of Deed, and Assignment, at Kanagawa.

No. 4

Dated February 1865

Dated 1869



With dispatch 213.

Note to F. Low
Amt Japanese Embassy
to China

No 3.

Dated June 27th 1871

(Copy)

No. 16. United States Legation

Yokohama July 9th 1871

To His Excellency

Saki Governor of Kanagawa

Sir

By direction of His Excellency the American Minister I send you enclosed in the Case of Mr Benson a title deed in Dutch text with Japanese signature and a translation of the same in English with a diagram

All of which Mr Portman has surrendered as being the original papers received from the Japanese Government as the Title Deed and Map of Lot No 97. Bluff Yokohama

As your Excellency has previously requested to see these papers and addressed this Legation complaining because Mr Portman refused to produce the same for your examination

The Minister now as soon as he has received the same desires to lay them before you and directs me to ask of you if these are the original papers and the ones you have asked for and to request you to reply in writing when you return

these

Three documents

With respectful consideration

Secretary of State

Enclosure
Mr Delegation's Report
With dispatch 218

Note to Governor
of Kanagawa

No 9.

dated July 9th 1871

(Copy) Translation

Government Office

Kanagawa July 13th 1871

Sir.

In reply to your Letter dated the 9th of July we beg to state that we have examined the documents that you forwarded to us and we find that they are the ones that we requested of Mr Portman to show us of the Bluff Lot No 97, and they were granted to Mr Portman whilst holding the position of Charge d'Affairs or as a Temporary Legation of the United States.

We also beg to enclose the above mentioned documents and hope that you will inform His Excellency Your Minister of the same.

We have the honor to be

Sir.

Your obedient Servts.

Kanagawa Ken Chiji

Iseki Montome.

Kanagawa Ken Daijosanyo Sakuma da Chikayosh.

Kanagawa Ken Daisanyo Nohumonnei Sada Kats-

To the Secretary of

the US Legation

~~Legation Japan~~

With Despatch 218

No 10.

Letter from Governor of Kanagawa and the Vice Governor

Dated July 13th 1871

Copy

Yokohama July 5th 1871.

To H.E. Chas. E. Denby
etc etc etc

Dear Sir: Re. A.B. Portman

I forgot to state in my interview with you yesterday that I had procured a certified copy of the Dutch original of the Title deed of Mr Portmans landed property, sealed by the Dutch Consul Mr. Van der Tack. I still however think it advisable in the interests of my client, and in accordance with your intimation, that a certified copy of the same translated into English should be made, and will therefore direct me to be completed, and will then ask you to be good enough to affix to it, the U.S. seal and your certificate. Would it not, do you think, assist Mr Portmans case, without impeding your own action, were I to purchase an affidavit stating the nature of the acquirement of the property, and also the sums expended therein in buildings and improvements? This affidavit, sworn by Mr Portman before the U.S. Consul, might with your good permission accompany the official representation of the matters to be transmitted to the U.S. Government. I shall return it as soon if you will honor me with a reply.

I have the honor to remain Dear Sir
Your Excellency's obedient Servant
F. W. Marks

With despatch 218.

Letter of J. W. Marks asking permission to accompany this despatch with an affidavit of Mr. Portman

No 11

Dated July 5th 1871

Copy. Yokohama July 13th 1871

To H. C. Ebb DeLong Esq

&c &c &c

My Dear Sir.

I excedingly regret that Mr Portman notwithstanding my strenuous advice to the contrary is still unwilling to make the affidavit I suggested to accompany your dispatch. Under these circumstances your statement to the H.M. Government will be unaccompanied by any supplement made by my client. I am very sorry for this but Mr Portman is very hard to convince. I trust however that your statement will be as favorable as you can make it in his interests

Mr Portman maintains that as he has already sent home a complete & positive of his case no further one is necessary and I cannot change his determination. Thanking you for your great courtesy manifested towards me in this matter. I have the honor to remain

My dear Sir

Yours very obediently

F. H. Marks.

P.S.

In any further communications which you may have to make to Mr Portman will you kindly

Kindly consider me as his acting Attorney

F. W. M.

Endorsement	
Resignation of Mr Adam	
Mitchell dispatch No. 218	
Letter from Mr Mariño	
Gutierrez on that Mr	
Pedroso appointment	
& complying with the	
Order	
No 13.	
Dated July 13th 1871	

Copy

U.S. Legation Yokohama July 5th 1871.

My Dear Sir: In reply to your communication of this date, I have to state that if you will procure from Mr Van der Tack, two translations of the Deed for Lot No 94, certified by him to be true and correct, I will certify to each, return you one, and enclose the other to the Department of State, by this mail, with any affidavit of refundations made in the premises, that you may see proper to hand to me in time to accompany my despatches. In short, as I told you yesterday, I am perfectly willing to present this matter to the Hon. Secretary of State in as favorable a light as possible for Mr. Portman - notwithstanding what has passed

Yours very truly
B.S. DeLong

F. M. Marks Esq
Attorney for A.S.L. Portman

Legation Japan

With Despatch 218

Reply to Mr Marks

No 12

Dated July 5th 1871

Proceedings as per Contempt, against
Mr Portman, late Interpreter in Japan
On the 3rd Dec. 1870 Mr Dodd Long
ispued what he calls a writ,
running in the name of the
United States. In which Mr
Portman "by the authority in
him vested as Minister Resident"
is suspended from his office
of "British Interpreter" & is directed
to deliver to the Marshal
"a certain title deed for Legation
Lot No 97" x x x "under penalty of
punishment for contempt
of the orders and process of this
Legation". Thus far there is
nothing in the proceeding pro-
fessing to have a judicial char-
acter.

On the return of this paper,
shewing that the mandate
had not been complied with
Mr Dodd Mr Long says (Desp No 122)
"I at once ispued an order
of attachment for the arrest
of Mr Portman, to shew cause,
if any, ~~why~~ he could, why he
should not be punished for
contempt in refusing to surrender

property of this Legation in
proposition".

The text of this attachment
is not furnished. We are
to guess whether it appeared
its face to be a judicial
or whether like the original
it was intended to enforce
rested merely upon the Min
=isterial authority of Mr de Lo

In my judgement this
of little consequence. I do
know how a Judge can
aggravate proceedings in his
Court by process of an in ca
of Contempt. Such proc
ancillary to the due exerc
of some jurisdiction upo
which the Judge has alre
entered. There was no pre
in this case of a judicial p
ceeding antecedent to the
attachment.

If on the other hand
attachment was issued b
Mr de Long the Minist
Resident, I am not awa
of the any authority in our bo
matic Representatives in Ja

or elsewhere, in that quality, to arrest, in person or by an agent, a citizen of the United States. The designation he may give to the instrument by which he declares his will — whether he terms it a Lettre de Cachet or an attachment — can make no difference.

By the direction of Mr De Long a Mr Dickson, a person to act as Marshal of the United States, Mr Portman was arrested and imprisoned. Mr Portman.

There would appear to have been no necessity for this confusion of functions. If the United States are entitled to the possession of the Bear for lot 97, Mr De Long might have instituted an action of Replevin before the Consul at Kanagawa, in which Mr Portman would have been arrested if necessary.

It is unprofitable to pursue the subject as it will be strange if when Mr De Long shall be relieved of his Diplomatic character

and Consuls within the jurisdict
of our Courts, the Portuguese d
not seek his remedy in an act
for false imprisonment.

As to the 2nd. This appears
be a lease executed in Febr
1866 of Lot 97 "to his Excellen
A L C Portman, H B Majesty's
affairs xxx to be a tempora
American Legation as long a
the American Minister stay
at this port [Yokohama] with
our [Japanese] [illegible] commerce
official residence being a
Geds xxxx the above mentio
ed piece of ground is rented
the American Minister as
as he pays the ground rent"
There follows an agreement
by Mr Portman (who howe
does not appear to have sign
the instrument) that the gro
rent $307 72 will always
regularly paid; and that
long as he or his successors sha
stay at Yokohama with Japa
concurrence the lot shall
be transferred, exchanged o

[sub]let and that the regulations made or to be made by the Japanese authorities shall be observed.

We are not to construe this instrument by any technical rules of American law, and what the Japanese law of conveyancing may be we do not know. The general intent is apparent that the grant was for the public use of the Legation and not for the private benefit of the grantee.

This, as between Mr Portman & this government gave the latter the right to adopt this act and take the lease for itself, if it thought proper.

It is certain that Mr Portman had no antecedent authority to bind the United States to the terms of that instrument, and it does not appear that this government has ever ratified his arrangement as one made for its account.

On the contrary the fact seems that having accepted the facts

and asked for instructions
the subject he has failed
get any. Until in April 1869
Van Valkenburgh endorsed on the
lease — or there any contemporaneous
that I can find — "The foregoing
deed is transferred to A L C Portman
Esq Secretary of the Legation of the
United in Japan" subscribed
name & title of Minister Resident

I construe this simply as the
=ter declaration that the United
did not desire the lot. Neither
Japan nor Mr Portman could
force it upon them. Whether
between the Japan & Mr Portman
the lease is valid, is a question
for them to discuss, in which
have made Mr Portman to bind
We take no interest.

Mr De Long now recommends
We take possession of the land
pay Japan what he says
owe upon it. Somebody ought
to owe arrears of rent for several
years Certainly the United
States have never admitted
that they owe the rent. The
they, until Mr De Long's proceedings

done anything to indicate to Mr Portman — though invited by him to do so — that they desired to adopt his purchase. Meantime Mr Portman as he states has made valuable erections upon the lot at the suggestion & with the concurrence of Mr Van Valkenburgh. and he proposed himself ready to cede the property to this government "in the hope and conviction that in such a case the Department would refund [me] the money actually expended or at least allow [me] some reasonable compensation for my outlay as might be determined".

This is no more than fair unless the buildings were erected in bad faith, which is hardly conceivable —

It is not for me to consider the expediency of owning the land. If We are to pay for valuable buildings We should or rather have a more durable tenure than one dependent upon the concurrence of the Japanese government in the continued

residence of the Minister at
Yokohama, & should have
a stipulation put in Japan to
pay for the buildings, if it be
Minister's residence.

I think it at all events
proper that We should know
distinctly discover any pur-
pose to pay the rent in arrear
& should come to an account-
ing with Mr Patterson in
which if We take the property
the rent in arrear should be
set off against the value
of the improvements.

August 30. 1871

There is no authority of Laws to accept the grant in behalf of the U.S. or to pay rent. The policy of the Govt. as indicated by the action of Congress seems to be adverse to the purchase or hiring of official residences for our Diplomatic Representatives.

It seems safe to assume that the Japanese Govt. intended the grant for the official occupation of the New Legation. & Mr Portman should have ascertained the position & intention of the Govt. before entering into negotiation or accepting a deed or grant which involved a liability for payment of rent. The action of Mr Van Valkenburg in agreeing to transfer any right which Mr Portman (or it is called) may claim as official or unofficial tenant. The Govt. has never consented in any way, the occupation of the lands or signified any willingness to become the owner or occupant of the land.

Mr Bingham should be instructed to explain to the Japanese Govt. that the position of the Govt. with regard to the property that it never did claim to the property or to any right of occupation. it not liable for any rent. & disclaims any right or claim to interfere with any measures to be taken by Japanese Govt. in

Encls
Sept

acknowledging receipt of
relative to Mr Pratt's
Act 22 Aug

Mr Pratt

United States Legation

Yokohama Japan July 15th 1871
Ans 21 Sept 1871

No 219.

Hon C E De Long
Envoy Extraordinary and
Minister Plenipotentiary

DEPARTMENT RECEIVED AUG 22 1871 OF STATE

FOREIGN Relations '71

Contents.

Forwarding an application of Mr Minutes
for Foreign Affairs to obtain your aid in selecting
and employing some competent person as a
Law Officer of this Government.

Remarks as to the character of this
application, its seeming importance &c

No 219. United States Legation

Yokohama Japan July 15th 1871

Sir.

I have the honor to advise you of my receipt to day of a Note from their Excellencies the Ministers for Foreign Affairs requesting me to render your aid to procure for their Government a competent legal adviser; and informing me that Mr Mori Charge des Affairs for Japan will be instructed to confer fully with you. (Enclosure No 1) 1/219

I beg leave to assure you that I consider this a very complimentary and important request; one that I trust will be so fortunately complied with as to secure for the Government the services of a

Hon Hamilton Fish gentleman

Secretary of State

Washington D C

gentleman of unquestionable honor and ability both as a lawyer and as a diplomat.

Such a person in my opinion ~~as a~~ ~~short time~~ will be in a position in a short time to wield a great power for good with this nation.

His rapid advancement to a highly honorable position & his great reputation may be more I consider very certain.

I have very earnestly urged upon all of these Authorities the great importance to this government of this at once selecting and employing such an assistant, as they have constantly to deal with questions of foreign law of which they know comparatively nothing.

This application proves that I have at last been successful in influencing

these

them to take this step

Guided by my instructions I have
in this as in all other similar matters
refused to mention any person as suitable;
but whilst recommending the measure
I have referred them to you to select the man.

The importance to our Government
of having one of our own people selected for
this position is that it prevents the selection
of some other for that office who by
being partial to another nations interest
might thereby become inimical to our own

It seems to our Government a period
at this Conjuncture when whilst honestly serving Japan
may properly and doubtless would prevent
numerous opinions from becoming generally
entertained relative to the American Government,
its institutions, and policy.

I impatiently await learning the result
of selection

selection being entrusted to us than I would to be given the appointment of many persons to minor positions.

Such appointments serve a trifling purpose, most often entirely personal and are not in any way fraught with the important consequences, whereas it is not only improbable that the person whom you may select for this place may have almost the whole foreign policy of this Government entrusted to him for management in time; indeed his influence may extend farther and when he has once succeeded in gaining the confidence of his Government in his ability and honesty he may be able to do much to get it to open its doors full width to the stream of civilization to enlighten to pour in and thus materially aid in the great work of the moral and

political

political re-dumption of this people. In this connection I beg to suggest that the person whom you may select shall be one not indifferent to the cause of religion. I would not desire an enthusiast but a person who when he sees an opportunity to help in that cause will not allow it to pass wholly unimproved.

The President of the Government College at Yedo is an American and so are many of his assistants. At that institution hundreds of the youths of this land are being daily instructed by another American gentleman is teaching a class of young men at the Foreign Office who are being educated in languages and law with the intention of qualifying them for positions in the various departments of this Empire. Numbers of young

Japanese

Japanese noblemen are leaving Yeddo monthly for America and entering numerous institutions of learning.

All in my power I have constantly done to stimulate this emigration and to foster and encourage these schools believing that in this way more surely and thoroughly than in any other these people would become able to correctly judge of matters for themselves and this is that very slow to be seen, but as I consider it certain the influence of our Government with this nation ~~is~~ may be traced from the low position that it now seems to occupy

All of the treaties with Japan are to be revised next year; that Yeddo will be an important one for this Empire and at that time it will only need an able

Counsellor.

Counsellor.

It may be thought that it would be more in the interest of our Government and that of other civilized powers that Japan should not at that time have such assistance than that it should; but I dissent from this view I believe that all advantages foreign powers might gain over them through their ignorance of international law would be far less in importance besides being more than gained than what will result from having them represented by an able advocate who whilst he would prevent unworthy advantages from being taken of this Government would also counsel them against insisting upon unjust and unreasonable things likely to produce mischief and trouble.

I trust that in contracting a clause will be inserted giving to this Gentleman

a

a rank sufficient to entitle him to
meet with the privy council of the
Sovereign and not leave him at the
mercy of any Chief of a Department
who through ignorance or malice might
by misrepresenting his views at Court
ruin his influence.

Trusting to your kind approval
of my course in this affair and
earnestly hoping that you will
exert yourself to assist in the proper
accomplishment of this matter in
conformity with Mr Mori

I have the honor Sir &c &c

Your most obedient Servant

C E De Long.

Enclosures

No. 1. Note from Minister for Foreign
Affairs

(Copy) Translation

Yokei the 24th of 5 month of 4th
year of Meidi

Sir.

I have the honor to request of your Excellency that you will communicate to your Government our desire to have selected for us by it and to engage for us such a person as Mr Okuma Sagi advised you at his interview with you in Yokohama was desirable, that is a competent lawyer as a legal adviser of our Government.

At the same time I beg to acquaint you that I will at once present to Mr Inouye Okuma Sagi at Washington instructions to communicate fully with your Government on this subject.

I beg leave to express the hope that you will render all necessary assistance to enable us to accomplish the object that you know we have in view.

I have &c
With respect and Consideration
Sanetomi Sabunosuke.

His Excellency
J. A. De Long. Envoy Extraordinary &c
and Minister Plenipotentiary of
the United States

Claims

Regulars Indians			
Kit Chapman Ord No 219.			
Mrs Ann Chapman Provisions			
	No 1		
	May 13	to	1871

H. T. Bs. Munich for
Corps Officers

September 18. 1871.

Mr. E. P. Smith desired me to say that it seemed proper to him that the annexed despatch from Mr. DeLong should be replied to (so as to go out by the Japan Mail of the 21st inst.) setting forth the understanding that should be arrived at between the Asst. Secy and Mr. Mori after a consideration of the Memorandum which he (Mr. S.) would leave with the Asst. Secy.

A. B. Wood.

acknowledge. Mr Mori addressed a Communication on the subject and was advised that Mr E. Hume Smith who has long been the legal adviser of dept was the most competent person to the Japanese to accept it. Mr Mori had Mr Smith to have some negotiations on the subject and it is understood the Department that an arrangement will probably be made by which Mr Smith will leave by the Steamer of the 11th Oct. While the Dept will part with Mr Smith with regret, it will afford pleasure of congratulation for both countries if his Eminent learning & great experience in the delicate questions of international law & practical questions, & his appreciation of justice and Equity can be secured for the benefit of Japan in the great Career on which the Empire is embarking as the leader of oriental Civilization

Encl 5 pts
Mr Piatt
E P Smith
Rec'd 22 aug

Legation Japan

Yokohama July 16th 1871

No 220

From

DEPARTMENT RECEIVED AUG 22 1871 OF STATE

C E De Long

Approve his proceedings & decision
5 Pts

Envoy Extraordinary and

Minister Plenipotentiary

Contents.

Forwarding a claim of Messrs Walsh Hall & Co. to have certain Notes exchanged by the Japanese Government.

Claim rejected by me

No 220 United States Legation

Yokohama Japan July 6th 1871

Sir.

I beg leave to advise you that during the month of March last the Japanese Authorities in conference with the Foreign Representatives agreed upon a plan for the redemption of the Nedzoke in the hands of foreigners

In pursuance of our part of this agreement we all published this plan simultaneously.

On the 31st of March last I forwarded to our Consular officer at Kobe one of these notifications (Enclosure No 1) which he has published at that place as directed. 1/220

On

Hon Hamilton Fish

the

Secretary of State

Washington D C

the 1st of May last I received from the
2/220 Consul at Kobe a dispatch (Enclosure No 2)
advising me that certain Natives the property
of Messrs Walsh Hall & Co had been presented
at that port for exchange and report. That
the having failed to agree with the local
authorities ~~at that port~~ the matter had
been referred to the superior authority of
each for adjustment. With this dispatch
3/220 the ~~he forwarded~~ Declaration of Messrs Walsh
Hall & Co. stating the amount tendered by them
that they presented for exchange. (Enclosure No 3)
Notice in reply as to when they would be
4/220 Examined (Enclosure No 4) and the
Letter of the Governor to our Consul advising
him of the rejection of the Natives of
Messrs Walsh & Co for reasons therein given
5/220 (Enclosure No 5)

I soon after called at the
Office

of Foreign Affairs and on several occasions I tried to determine this matter and obtain an exchange of this money. But finding the Ministers Family of the opinion that these were false packages containing debased coins I at last consented to have some of them opened to examine their contents & ascertain and assayed. Accordingly I addressed a note to the Superintendent of the Mint at Oaxaca (Enclosure No 6) forwarding to him some of the coins for assay. 6/220

On the 28th of June last I received from Major Kinder a report relative to the result of the assay (Enclosure No 7) Establishing as I thought the claim of this Government that they were spurious coins. 7/220

Accordingly on the 5th inst I addressed our Consul at Colon a despatch referring

Same

Smith of my proceedings and enclosing
also informing Smith that I would await
any further proofs or moral Walsh Hall
& Co might have to offer in support of
their claim before proceeding further; and
directing Smith to advise him of the
Contents of my Note (Enclosure No 8)
8/221

This direction Consul Frank sent
to have object as on the 13th inst I
received a reply from Smith (Enclosure
9/221 No 9) containing an argument and
a renewal of their claim by Messrs
10/220 Walsh Hall & Co (Enclosure No 10)

In the mean time I had also received
a Note from the Minister for Foreign
11/220 Affairs (Enclosure No 11) forwarding to
me a copy of Major Vanden Report
and claiming that it established their
case. On the 13th inst I addressed
another

and the dispatch to Consul Frank upon this subject answering briefly the argument of Messrs Walsh Hall & Co. and advising them that I should procure Gaston in bringing this demand unless instructed by you to do so. (Enclosure No 12) 12/220

This action on my part I regret to state proves highly unsatisfactory to the parties in interest who urge upon me I hasten to lay the subject before you for your advice and instruction.

I have the honor to be

Sir

Your Most obedient Servant

O. E. DeLong

Enclosures.

No 1. — General plan adopted governing Exchange of Vouchers in the hands of Foreigners

No 2. Note from Consul Frank advising

me

Inspection of Walsh Hall & los Inclosures.

No 3. Declaration of Walsh Hall & los Inclosed

No 4. Notice of Govt. as to when the Prisoners would be examined for exchange Inclosed

No 5 = Governor to Consul referring to Mr. Exchange

" 6. My Note to Mayor Kinder Omit Superintendent

" 7. Reply of Mayor Kinder Inclosing Report

" 8. Note to Consul Frank advising him that I could procure no further evidence without additional Expense

No 9. Reply of Consul Frank

" 10 Do of Walsh Hall &c.

" 11 Note from Japanese Minister

" 12. My final reply to Consul Frank

Copy.

No 220

Under Sec of State's
Decision,

Re Commercial Claims of Walsh Hall &c. & Claim for Return Prisoners Exchange by Steamer Commodore Perry Check claim. Ch Clerk

(Copy)

No 97. U.S. Legation Yokohama

Japan March 31st 1871

Sir.

Early on the day following the arrival of the Steamer at your port which brings you this dispatch you will publish for the information of our countrymen at the ports of Kobe and Ozaca the following notification and agreement in relation to the exchange of Silvers in the hands of Foreigners

I have the honor to be

Sir Your most obedient Servant

E. De Long

Paul Frank Esq

U.S. Vice Consul. Kobe and Japan.

Notification

The undersigned hereby publishes for the information and guidance of American Citizens in Japan the following agreement which has been concluded between the Japanese Government and the Foreign Representatives providing for the exchange of those "Silvers" in the possession of foreigners which were examined and sealed by the Japanese Government under the agreement made between it-

it and the amount Foreign Representatives on the
31st of August 1869. and then not paid by
my predecessor.

Legation Yokohama
Japan March 31st 1871

Agreement

Section 1st

At Yokohama and Tokei
Foreign Holders of sealed Notes shall
declare to the Local Japanese Authorities
in writing on the 6th of April next
between the hours of nine A M and four
P M. the quantity held by each; written
notice shall then be given to each Holder
of the day on which his packages shall be
examined and exchanged; and on the day
thus named those packages of which the
seals are intact shall be exchanged for clean
Mexican Dollars or for drafts on the
Oriental Bank Corporation at the rate
of Ten Hundred Notes for one Hundred
Mexican

Mexican dollars.

Section 2nd.

The Japanese Government will dispatch officers by the P.M.S.S. Co's Steamer leaving Yokohama on the 5th of April next to Kobe Osaca and Nagasaki to conduct the Examinations at those places. By the same opportunity the Foreign Representatives will instruct their Consuls to notify this arrangement on the day following the arrival of the said Steamer at Hiogo and Nagasaki to their respective countrymen at those ports and at Osaca. On the next day (Sunday excepted) any foreign holder of sealed Notes shall deliver at the Custom House between the hours of 9 A.M. and 5 P.M. a written declaration of the quantity he holds; and the exchange shall be conducted in the manner provided in the following article.

When Dollars are not at once paid by the Custom House a certificate of receipt bearing interest at the rate of one per cent per month shall be given instead and the delay in payment will in no case exceed thirty days.

Section

Section 3rd.

The same course will be followed at the ports of Nuagata and Hakodada. The Japanese Government will despatch officers to Hakodada and to Nuagata and the Consuls at those ports will be instructed by the Foreign Representatives to give the necessary notices to their respective Countrymen in the manner provided in this present section. The delay in payment at these two ports will in no case exceed sixty days.

Section 4.

If the Japanese Authorities consider that any sealed packages then tendered for exchange bears a false seal or that it has been opened and its contents changed it shall be the duty of the Consul of the nationality of the individual offering it for exchange to inquire into the matter; and to that end he shall receive and consider any evidence that may be offered in support of or against such allegation and if after receiving such proof he is of the opinion that such allegation is true or if he is in doubt as to whether it is true or not he shall if it is required by the Japanese Authorities

Cause

cause such package to be opened, in his and
their presence and its contents inspected; and if
after such inspection his best judgment is either
that the seals on the package are false or that
it has been opened and its contents changed
he shall allow the Japanese Authorities to
reject and return to the presenter of such package
all false or debased coins found therein.

In case of any disagreement between
the Consul and the Japanese Authorities the
case shall be referred to the superior authority
of both parties for consideration and
settlement and the Dollars in dispute shall
be sealed by both the Consul and the Japanese
Authorities and shall be forwarded by the
latter to the Government at Yedo. In the
event of the determination of the question in favor of
the owner he will be entitled to interest at the
rate of one per-cent per-month on the sum
thus deposited in the charge of the Japanese
Government.

Section 5.

Foreign Gunboats sailing under Dollars in transit
at the time of the publication of this Notification
aforesaid must include the same in their

Declarations

declarations and on the arrival of the said Nubors at the place to which they are consigned they will be examined at the Custom House and will be changed if the quantity be found to correspond with the statement made in the declaration of the shipper.

Section 6.

The Japanese Government will not exchange sealed Nubors to any larger amount than that named in the declaration of the holder and will only exchange those sealed Nubors which are produced on the day named for examination and exchange

A carriage charge of two per cent will be made by the Japanese Government on all sealed Nubors thus examined and exchanged

A transferable Certificate in the annexed form shall be given in such case and after the 2nd of July 1871 the holder of these Certificates shall have the right of claiming an exchange of Mexican Dollars into Japanese Dollars to the amount named in the Certificate free of the carriage charge

When the exchange in whole or in part is claimed the Certificate must be produced

and

and Cancelled

Section 8th.

After the examination and Exchange has taken place in the manner provided in the previous Articles the Japanese Government will decline to receive sealed packages of Mexican Foreign Coin in payment of duties and will only take them at the Mint at their intrinsic value.

Form of Transferable Certificate

No

date.

The Coinage charge of two per cent on the above sum having been received it will not be again demanded when application is made for a re coinage of the same Amount.

Signature of

Local Japanese Authorities

Legation Japan

With dispatch No 220

Arrangements as published
for Exchange of Natives

No 1

March 31st. 1871

4/10 Rec'd May 1st

18.

Consulate of the United States of America
Osaca & Hiogo. April 24th 1871.

Sir.

Under the notification issued by your Excellancy dated U.S. Legation Yokohama March 31st 1871. & by your instructions published by me in the Local papers at Osaca & Hiogo for the guidance of American Citizens, with regard to the arrangements made between the Foreign Representatives and the Japanese Government for the exchange of Nibors examined & sealed by the Japanese Government under the agreement made between H.M. the Foreign Representatives on the 26th Aug 1869. and then notified by your forede-cessor. I have the honor to state that the firm Walsh Hall & Co presented for exchange Rios 2400. Niboolein in sealed packages. as per enclosure No 1 & received information for examination as per enclosure No 2. Enclosure No 3 is the copy of a com-munication directed to me bearing the result of said examination.

By virtue of Article 4 of the Minister-ial notification dated March 31st, I

inquired into the matter, and after receiving and considering the evidence offered in this case, the Japanese Authorities, met me on Monday at 10. A.M. and at this meeting, repeated the charge stated in Enclosure No 3. that the imprinted stamps on the packages were tampered with, and the original contents changed. the only proof the Japanese Authorities were able to produce to substantiate this charge, are some slight irregularities in the straight lines forming the outside margin of the Japanese stamps, which seemed dragged from its point of junction with the rest of the stamps. which repeated change from hand to hand might easily explain, or dryness or moisture acting upon such inferior paper as these Ribbons are enclosed in, might cause, -

The Authorities carefully measured the length and width of the imprinted seal and could only find fault with the above exception, which I consider to be nothing more, than the contraction or expansion of the paper from ordinary handling.

Under these circumstances. I am compelled for the protection of the interest of Messrs Walsh Hall & Co to enclose these packages of Tobacco. of the value of Rios 2300, in a covering to which the Consular stamp has been affixed with that of the Japanese Authorities, to be forwarded to Yedo, probably by the present Steamer for further inspection

I have the honor to be
Your Excellency's
Very obedient Servant
(Signed) P. Crank
U.S. Vice Consul

His Excellency
Hon C. E. De Long.
Envoy Extraordinary & Minister Plenipotentiary

U.S. Legation Japan

With dispatch 220

Note of Consul Frank
objecting on of the
rejection of the Sections
of Walsh &c. &c. of Treaties
being forwarded to Yedo

No 2

Dated April 24th, 1871

No 1.

Copy

Kobe 10th April 18[illegible].

To the Custom House Authorities.
Kobe.

In accordance with instructions contained in a notification issued by the United States Consul at this Port, in reference to the exchange of Nibon-Kin, we have to state that we hold the sum of ~~Rs~~ 2400, (say Rios Two thousand four hundred Nibon-Kin) in sealed packages

(signed) Walsh Hall & Co.

Legation Japan

With dispatch 220

Declaration of Inspector Hall No. 1 in
payment of amount
of duties punished
Gotten for Exchange

No. 3.

April 10th, 1871

No 2.

The undermentioned Nibroidin will be examined and exchanged at the Eastern Custom House on Tuesday, the 11th day of April between the hours of 9 A.M. and 4 P.M.

No 2.

Holder. Walsh Hall and Co.
Number of Package 24. Two thousand and four hundred nos, (Rio 2.4 no 1)

Government Office (L.S.)

Hiogo April 10th 1871.

Paris le 22 Juillet 1877

Monsieur le Président,

J'ai l'honneur de vous informer que j'ai été nommé Chef de Bataillon et que je viens d'être appelé à l'état-major de la 1re Division d'infanterie.

Je vous prie, Monsieur le Président, de vouloir bien accepter ma démission de Commandant du 2e Bataillon de Chasseurs à pied.

Veuillez agréer, Monsieur le Président, l'assurance de ma haute considération.

Le Commandant

Government Office. Kobe. Hiogo.

26th of 2nd Month. 4th Year. Meiji.

Sir.

In reply to your letter with regard to the exchange of Nibors. I have the honor to inform you that Messrs Walsh Hall under your subject. having brought on the last 21st day their Nibors packed. for the purpose of Exchange. they were inspected & were found that the figures of the sealed stamps are affixed on the packages either small or large and even the weight of them different. and therefore they have been settled not be packed at this office so that they have been returned to their possessor.

Now I hope you will lead yourself to understand of the matter above referred to

With Compliments

[signed] Narrayama Em Chije

of Hiogo

To

R. Irons Esq.

U. S. Vice Consul.

Hiogo.

Mr Legation Japan

With dispatch 220.

Note respecting Italian Nationals by local authorities

No 5

No 247. (Copy) Legation Yokohama

Japan June 12th 1871

To Major F. Fincke

Superintendent Imperial Mint Osaca.

Sir

I have the honor to advise you that at an examination held by the Japanese Authorities at Yedo with myself of certain packs of Nutrons presented for exchange; in order to satisfy our minds as to the comparative worth of those presented for exchange with others held by the Japanese Government - and known to be genuine it was agreed by Mr Fellowes the Minister for Foreign Affairs and myself that we would select at random two packs of each kind and forward the same to you to be melted and assayed.

Accordingly I selected two packs of those owned by Snyders and Enclosed them in a package of silk paper and endorsed on the package on one side with Japanese ink the following words "Nutrons packed for Assay June 8th by American Minister, and addressed the same words on the other side of the pack with lead pencil. This package

was

was then tied with a string. and I sealed it with wax over the place where the string was tied and impressed the same with the eagle side of a Mexican dollar as a seal.

The two packs of genuine Nelsons were then packed in a similar manner marked the same way on the side of the packs but not sealed and the whole were then put in one sealed package & forwarded by Hon Excellencies to you with these instructions and these my advices

I would thank you if you would in obedience to this authority and my agreement with them Sear these two lots of melons seperately melted and seperately and carefully assayed and a return made to the Foreign Office directed to Hon Excellencies and myself showing

First. That you received the two packs marked and sealed as I have herein indicated. Secondly; That the assayed value of each was so much in gold silver and copper. And Thirdly; A statement of the aggregate compared value

Value of the two packs. The two packs of foreign owned Seabors. as compared with those owned by the Government.

I have the Honor to be Sir
Your very obedient Servt
C. B. De Long

Inclosure in Dispatch 220

Note to Superintendent of Peace Mission

No 6

Dated June 12th, 1871

Directors Office
Imperial Mint Osaka.
28th June 1871.

Sir.

In compliance with instructions contained in your Excellency's despatch No 127 of the 12th June 1871. the four descriptions of Nitre therein referred to, reached me on the 26th inst and have since been assayed by Mr Lowrey the Mint Assayer. in the presence of Mr Mawatari the Superintendent of Bullion and myself.

I have the honor to report as follows

1st That the sealed packets were in each case duly received by me in the condition reported by you.

2nd That the sealed packets, No's 1 and 2 respectively contained 200 Nitre each

3rd That the unsealed packets were numbered 3 & 4 respectively & contained 200 genuine Nitre each.

To His Excellency
C. E. De Long Esqr
United States Minister
Yokohama.

No 1. Packet of 200 Nibs sealed by the U.S. Minister.

Weight Before Melting "Ivory Grains" 9014.0

do after do do 8915.0

do of Pure Gold fr. 142.64

do " Silver 7188.49

do Alloy 1586.87

8915.00

No 2. Packet of 200 Nibs sealed by the U.S. Minister

Weight Before melting "Ivory Grains. 9079.0

do after do 9056.0

do Pure Gold fr 40.38

do " Silver 88.74.88

do Alloy 140.74

9056.00

The average of the above No 1 & 2 gives for 200 Nibs. Pure Gold 91.51 grains

Silver 8013.18 "

Alloy 863.80 "

No 3. Packet of 200 Nibs (genuine) unsealed

Weight Before melting "Ivory Grains" 9295.0

do After do " 9257.0

Weight Pure Gold	gr	2119.85
" Silver		7063.09
Alloy		74.06
		9257.00

No 4. Packet of 200 Genuine Nibs unsealed.

Weight before melting "Ivory Grains"		9283.0
do after do		9257.0
do Pure Gold	gr	2036.54
do Silver		7100.12
do Alloy		120.34
		9257.00

The average of Packets No 3 & 4 gives per 200 Nibs.

Pure Gold	2078.19	grains
" Silver	7081.60	"
Alloy	97.20	"

The remaining Bullion has been in each case seperately packed by the Assayer and duly endorsed. These packets, five in number, have been handed by me to Mr Mawatari for transmission to Yedo with a copy of this document to their Excellencies the Ministers for Foreign Affairs.

I have the honor to be

Your Excellency's most obedient Servant.

(Signed) Thos Wm Kinder

Director of the Imperial Mint

U.S. Legation in Japan

With dispatch 220

Reply and Report of Mint-Superintendent

No 7.

June 28th 1871

No 13. (Copy) U.S. Legation Yokohama
Japan July 5th 1871

Sir.

In reply to your dispatch No 95 of the 24th of April 1871 relative to the claim of Messrs Walsh Hall & Co at Kobe to have certain Newspapers exchanged I beg leave to state, that I at once attended to the business meeting the Ministers for Foreign Affairs and certain officers of the Financial Department on several different occasions.

I submitted to them packages as being specimens and documents in proof of the companions made in my presence of the genuine seals with the impressions on the packages.

I found them packages so worn that in a majority of instances a large portion of the impress of the seal was entirely obliterated; there were distinct and differences noticeable to such an extent that I could not conscientiously give a Certificate of

Gen P Frank
U.S. Vice Consul
Kobe Japan

insist that no doubt existed of their genuineness.

Finally at one third interview to satisfy my own mind and to test the question of their quality with genuine coins of that denomination I committed to the opening of one package, which when contrasted with their coins certainly did look very different and strongly reduced the truth of their assertions

We then proceeded to test them by weight, by a touchstone and by numerous other expedients but all to no purpose as far as any agreement; when at last it was agreed that I should select two of their packages and two of those that I had presented which being seperately wrapped and sealed should be transmitted to the Mint at Ocacu for assay under my directions the Superintendent then to be directed to report from the assayed value of each lot and the condition of their packages when received by him.

To day I received the report of the Superintendent (Enclosure No 1) by which it appears

appears that he received the packages in the
condition in which I forwarded them,
and arranged them as directed; that the
intrinsic value of the coins I presented
as compared with the others is remarkably
less so much so as to prevent me from
insisting any longer upon the demand
for exchange unless provided with new
reasons now unknown to me.

I will defer making known any views
to the Japanese Government until I can
hear from you in reply respecting you to
exhibit the despatch to Mr. Walsh
Hall & to at your port and endeavor to
procure any reply or suggestions that they may
have to make.

You will also please direct them to
address me what to do with the
packages and the bullion returned
from the Mint.

I have the honor to be
Sir your most obedt. servt.
E. De Long

U.S. Legation Japan

With dispatch 220

Note to Consul Flint
calling for particulars
in relation to the
Murder of Mr

No 8.

July 5th 1871

No 161. Recd July 13

No 126.

Consulate of the United States of America
Osaca & Hiogo July 11th 1871.

Sir

I have the honor to acknowledge the receipt of despatches No's 6. 10. & 13. and now transmit a communication received by me in answer to contents of your despatch No 13- marked Enclosure 1

I have the honor to be
Sir.
Your Obdt Servant
C. Sidney
U.S. Vice Consul

His Excellency
Hon C. E. De Long.
Envoy Extraordinary & Minister Plenipotentiary

Legation Japan

With dispatch 220

Note Count Brandt to C. S. Dr Long enclosing copy of Paleh Hall to C. & dr Long.

No 9.

Dated July 11th. 1871

Hiogo. July 8th 1871.

Sir.

We beg to acknowledge receipt of your communication No 124 of the 7th instant, enclosing a despatch from His Excellency the U. S. Minister, and a letter to Quin from the Director of the Imperial Mint, upon the subject of certain packets of Silvers which we submitted to the Custom House Revenue, for exchange, under the notice dated at the U. S. Legation, Yokohama March 31st last,

It appears that His Excellency after having had several interviews with the Minister of Foreign Affairs and Officers of the Finance Department, has deferred giving his opinion until he had received from you, any reply or suggestion we have to submit, upon the objections to the exchange made by the officers of the Japanese Government.

We would remark on His Excellency's Letter, as follows; He says.

1st. "They (the Japanese Officers) objected

" to these packages as being spurious

Frank Esqr
U. S. N. Consul
Hiogo.

" and advanced in proof of it comparisons
" made in my presence of the genuine seals
" with impressions on the packages of Messrs
" Walsh Hall & Co."

We would call to your recollection what took place in your presence, when the packets in question were examined by the officers of the Caibarisco Crew, upon which occasion the seals produced by them were first declared, in the most positive manner to be the genuine seals and that no others existed, and upon comparing impressions made with them and the stamps upon our packets, they appeared to be identical, so that no objection was made on that account, by the officers here, They contended only that the packets had been tampered with, of which they failed to convince yourself, as there was no appearance of their having been opened -

2nd His Excellency speaks of the impress of the seals upon a large portion being partially obliterated, and that upon others he observed defects and differences, so that he could not insist that no doubt existed of their genuineness

To this we would say that before the final examination at the Saibanshō, we asked the opinion of several Japanese, amongst the number an old & experienced native Banker, all of whom may be considered experts & they unhesitatingly pronounced them to be genuine Saibanshō stamped packets.

In accepting Nibus in this form, as we, in common with all mercantile Courses Crave, were formerly in the habit of doing, we should always have been willing to take them upon such evidence, and further we declare that the packets in question were current at the time we took them, and could have been passed to either Japanese or Foreigners, without difficulty, notwithstanding the partial obliteration of the stamps and the wearing away of the paper which was a natural consequence arising from the nature of the material used.

3d With regard to the contents of the packages to which His Excellency refers, and to the Mint assay, we beg

respectfully to submit that with this we have no concern. The stamped packets issued by the Saibansho were current for a time because they bore a seal which was supposed to be a sufficient guarantee of the genuineness of the contents, which the holder could not examine. and accepted therefore only upon the faith of the impression on the outside. -

That the Government did agree to examine and stamp all Nibus for the purpose of "guarding against spurious coin" is made sufficiently clear by the notification issued by the U. S. Minister Resident in Japan and dated at Yokohama August 26th 1869. and by a subsequent notice published by the U. S. Consul at this port on the 15th September of the same year.

We contend therefore that we have nothing to do with the intrinsic or comparative value or weight of the packets of coin in question: that we accepted them in the ordinary transaction of business using all necessary precaution in our power to ascertain the character of the

stamps which we believed at the time to be genuine, and which have since been declared to be so by Japanese experts; and as we have before remarked, the officers here did not dispute their genuine= =ness, after a careful comparason made with the seal, which they produced in our and your presence.

Refering again to the notification of the 26th August 1869. it is evident that the intention of the government was to save foreigners from loss upon coin, which had, or might, fall into their hands, as it is impossible for them to distinguish genuine from spurious coin, and it is well known that the Government did redeem spurious coin under this notification.

Having recognized this principal we think it but right that it should extend to these stamped packets, even if the stamps were proved to be false especially as there has never been any notification to put foreigners on their guard against forged impressions.

We contend however in the present instance, that the proof offered at Yedo is insufficient to show that the stamps are not genuine and that in a comparison of impressions, if any value is to be attached to it, the first one made here is entitled to the most weight.

Finally, we declare our belief that the packets of coin were stamped and issued by the Saibanscho, and if the contents are not genuine the loss should fall upon the Japanese Government, and not upon us, the innocent holders, who relied only on the marks or Stamps they bear.

This view of the subject we respectfully submit to the consideration of His Excellency.

And have the honor to remain

Sir.

Your Obedient Servants

(Signed) Walsh Wall & Co.

Yokei. 22ⁿᵈ day of 5ᵗʰ Month of 4ᵗʰ Year Meiji

(July 9ᵗʰ 1871)

Sir.

We have the honor to inform you that, in accordance with our decision at the conference on the 21ˢᵗ day of the 4ᵗʰ Month (June 8ᵗʰ). the gold Nibus belonging to Walsh Hall & Co were sent to the mint at Osaka for Assay. we now send you, enclosed, the Report sent to us by Mr Kinder Master of the mint, of the results of a careful assay of each package. it may be we has also sent you a copy of the same.

As we now have the indisputable decision of Mr Kinder, it will no longer be necessary for us to discuss the amount of difference; as even your Excellency must now be fully satisfied as to the spuriousness of the coin in question.

The Gold Nibus have been brought to this office securely sealed: any day when it may be convenient to you we can meet according to agreement and open the package.

We thought it well to send you the enclosed report for your Excellency's inspection before hand

We have the honor to be &c

(Signed) Sawa Nobu Yoshi

Yama. Guchi Nao Yoshi

To His Excellency

Charles E. De Long

Envoy Extraordinary & Minister Plenipotentiary of

the U. S. America.

(Copy)

No 18. United States Legation

Yokohama July 13th 1871

Sir.

By the mail of to day I received your No 126 with its enclosure being a letter from the House of Walsh Hall & Co praying that a claim to have the $2300 &c of Nabookii exchanged by this Government.

In reply you will advise those gentlemen for me that as they have failed to furnish me with any additional evidence to establish the fact that these packages are genuine, that is that they were packed and stamped by the officers of this Government I cannot at present insist upon them being exchanged as such, but without expressing any opinion upon the subject to this Government I will receive the Nabookii and hold it subject to their order and report the whole matter home to the Hon Secretary of State for instructions.

I beg leave however to remark that as the regulations provided that in case a question of this kind arose and could not be settled by the Consul with the local authorities that it should be referred to the

Genl P Frank
US Consul Kobe Japan

Yrs &c.

Yedo Government for apartment by it with the Foreign
Representatives this this matter came before me.

In your No 75 of the 24th of April last you advised
me that the local authorities at Kobe objected to
exchanging this coin on the ground "that the impressed
"stamps on the packages were tampered with and the
"original contents changed" This same objection was
urged by the Ministers and this was the question
before us for determination. How were we to
investigate and determine the truth of this statement?
The only way I knew of was first to compare the seals
and stamps on the packages with the genuine seals
in the possession of the Finance Department. This
was done and in many cases when the stamps and
seals on the packages were legible they were found to
disagree slightly in measurement. This might have
been caused as you suggested by contraction and expansion
of the paper; but still it would hardly do to insist
upon this which could not be proven and I could
not well refuse to allow other and further tests to be
made. We then tested them by weight and they were
all found to be light. We then opened one package
and in appearance they were found to differ.
And lastly we tested them by assay and they were
proven to be debased coins. In the absence

then

them of any proof on our side that they were actually stamped and issued by this Government I consider the preponderance of evidence to be fairly in favor of them and against us.

It is true that Walsh Hall & Co as the Jong in Holders are not to be held responsible for the character of the contents of packages of Mulbrooks actually packed and issued by the Government: neither would I have allowed them to be charged with such responsibility if they had proven that these packages were issued by the Japanese Authorities; but this main fact was not proven and for want of that evidence I was driven in the investigation to allow the matter to be tested as to probabilities by these other methods and by every test made the case of the Government was sustained

Upon Walsh Hall & Co in their communication to you of date July 8th. 1871 which you enclose with your No 126. are in their statement that when the examination was made by you with the Local Japanese Authorities that upon comparison of the seals with the stamps upon the packets that no difference was found to exist and that no

objection

objection was made on that account &c

On the contrary in your No 93 you informed me that they insisted to you that the seals were dissimilar and that the contents of the package had been changed.

You will please communicate the substance of this reply to Messrs Caleb Hall & Co and inform them that I await their orders about the Notebook in my possession

I have the honor to be Sir
Your most obedient Servant
C. C. De Long

Bk Whaler 220

Ans'd Oct 12

Sep 13 - 1875

No. 221

not

received

With dispatch 220

Note from Japanese Govt forwarding Tenders Report and closing the case on this part

No 11

July 9th 1871

Send the previous correspondence

Enclosure 2 Aug

Mr Bates

United States Legation

Yokohama Japan July 14th 1871.

No 222

Refers to the Crown Company of Japan

Acted 14. oct.

From L. S. DeLong

Envoy Extraordinary and

Minister Plenipotentiary

Contents.

Reply to Despatch No 84: about the right of foreigners to trade with Daimios - enclosing communications from my French, Dutch and English Colleagues, and also from the Japanese Ministers for Foreign Affairs, showing how claims of Foreigners against Japanese are enforced. Comments upon the system.

No 222 United States Legation

Yokohama Japan July 14th 1871

Sir:

Acknowledging the receipt of your interesting Despatch No 84, I beg leave to advise you that the entries heard upon my predecessors and myself, that I communicated to you in my No 149, and which you say you take for granted, were published for the information of our countrymen residing and doing business here, have not been published.

These subjects having been fully discussed in numerous conferences of the Foreign Representatives, held both before and since my arrival, it was concluded that the Japanese Government had attempted by these

Honorable Hamilton Fish

Secretary of State

Washington D.C.

these notices to violate treaty provisions, in an effort to monopolize and supervise the trade of the Empire; that it was advising us of the existance of a state of things possibly projected and wished for, yet, in fact, not communicated; and, under such circumstances. It was considered that if we published these notices, such an action would be an official assent, binding, alike on ourselves and ourselves. Therefore it was deemed best not to publish them.

I acted with my colleagues in this, both in accordance with my judgement and my cooperatory instructions; but, as I now know that my views and yours now do not coincide, I will, if you think proper publish them.

In obedience to your instruction contained in your No 84. I addressed a

note

note to my French colleague (Enclosure No 1) making the inquiries you suggested: also on the same day, I addressed similar notes to my Dutch colleague (who also having Swedish interests in charge) and one to my British colleague. 1/222

On the fourth instant I received a reply from my British colleague (Enclosure No 2) on the sixth instant one from my Dutch Colleague (Enclosure No 3) and on the fifteenth instant one from my French colleague (Enclosure No 4) 2/222 3/222 4/222

This exhausted my instructions in this regard, but being most anxious to give you every possible proof of the correctness of my former assurances about this matter, I went further, and at an interview with the Ministers for Foreign Affairs, I made similar inquiries of them, and they replied, as I knew they would and must.

must. that they had no Courts in which a foreign creditor of either their people or their Government could sue.

I am convinced you beyond a doubt that they advised me, I addressed Their Excellencies a note upon this subject, (Enclosure No 5) requesting what I understood them to say to me, and asking them to repeat their assurances in writing, that I might lay the same before you.

Their Excellencies complied with my request by answering my communication. (Enclosure No 6) but in their efforts to make plain and explicit what might have been clearly stated in a few words, they wrote a very confused note, yet, as you will perceive, it seems that they have no Courts, - but think of having some; that the Governor and Consul discuss matters

matters and arrange them if possible, and, if not thus arranged, they are to be settled by themselves with the Foreign Rep=
=resentative; they, invoking in their aid the assistance of some tribunal of their own, that hears the evidence on their side, and — as I know from experience — fortifies the Japanese Minister to meet the Foreign Representative as fully prepared and pow=
=erfully ejaculated, as possible.

Then commences a system of evasions delays and frivolous objections on side, and raging entreaty and grum=
=blings on the other.

I admit my unqualified surprise at finding this condition of things here, but, as I found that my predecessors had all followed this course for years, as also all of my colleagues, of course I pre=
sumed

=assured that this condition of things was well known to your Department, and there=
=fore I was not particular enough, perhaps, in advising you about it.

That this condition of things is very undesirable, is agreed by all, but how or where to look for the remedy is an=
=other thing.

In this land where our published laws exist; an codes of evidence are known, and precidents considered, I apprehend, th=
=at if this Government was to engage a foreign jurist to act as a judge, that he would find his position one of very great anx=
=iety and difficulty.

I have urged upon them the idea of establishing a mixed Court, composed of foreign and native Judges, and the ad=
=ption of some code of laws.

They

They listen attentively; express the opinion that some such thing is necessary; agree soon to let you know about it, and never mention the subject again, until you refer to it, when they gravely assure you that they have your suggestion under serious consideration.

I have not noticed any countenance that I would no longer attend to their claims, but to such individuals as have put de=
=mands in my hands recently, I have fre=
=quently made known your access, and told them that until further instructed, all I could or would do about claims, would be, to present demands to the Ministers and obtain their allowance, if possible, without any contention: but in the event of objection being made, I would remit them with the proofs, and the reply of the Ministers, for=
=me for instruction: — and this course I will

will continue to prevail until further advised by you.

Since my despatches to you by the last mail I have had the following demands put in my hands for adjustment: first: claim of Shutty Reis Hoo for the sum of one hundred thousand dollars, against the Commercial department of the Prince of Kambao, for money loaned, payable in installments in copper or silk, or in money at a certain and agreed rate of interest. First installment paid; second re= =fused and no reason given. Second: cla= =im of Walsh Hall + Co on a promissory note against the Wij Hoon; amount of note, twenty three thousand two hundred and twenty dollars. Defense made, is, that the person making the contract, had, at the time ceased to be the agent of the Hoon. It is admitted, however, that the rice, for the value of

of which the note was given, was received, and that the seal on the contract is the seal of the Town, but they say the same serves it. I am anticipating a proposition to settle this by punishing the man as a criminal — a hardly acceptable plan of adjustment, as far as Walsh & Co are concerned. Third: a matter of one F. C. Farrington against the Prince of Ava. Contract to serve the Prince for nine months as a miner: at the end of nine months, if any profitable mines should be discovered or developed, the contract to be continued fifteen months longer: nine months have expired and the Prince discharges Mr Farrington, notwithstanding, as Mr. Farrington claims, he has discovered and developed valuable mines of coal and copper.

Several other mining matters of a similar

similar nature have been confided to me for during the last thirty days, and are now awa=
=iting adjustment. The question it seems to me is now a pertinent and pulsing one as to what course I shall pursue about business of this nature: and if it is resolved that I am to continue doing as I have done — as it see=
=ms to me — acting in the true interests of our people, and the commercial interests of our Government there — I submit, without further argument, the necessity of my being given some assistance.

It may be urged that, inas=
much as my predecessors got along with=
=out such assistance, I can. This argum=
=ent would be good if the same state of affairs continued always to exist. Such, however, is not the case. Our commerce is rapidly increa=
=sing with this people, and the business of this

this Legation largely increased. The distant prospect of obtaining some relief when the treaties are revised is not very encouraging to men now doing business with the Japanese, and, with due respect, you will permit me to assure you that it is a great necessity that compels me to delay a claim, until it can be reported to, and investigated at Washington. Take, for instance, this demand of Shultz Riley & Co. That house took every possible precaution to ensure the=ir contract, by having it sealed, and approved by, as they thought, all the proper officers, and upon such un=derstanding they loaned this large sum of money. This house, like many others, cannot afford to be dis=appointed and delayed in the payment of such an immense sum. I have addressed most urgent appeals to the Foreign office for dispatch in investi=gating and settling this matter. Mr Riley, one of the firm, who is North German Consul here, has also exerted all of his influence to the same end, yet, we have no idea when the Foreign office will be prepared to reply, or what their reply will be when it does come in. I suppose it should be a refusal to recognize or allow the demand, I would be compelled to remit it to you, with the proofs in support of it, and it could not well be

answered

assessed for four months. This delay might ruin the house, and its final settlement be in reality no proper indemnity.

The situation is indeed annoying, and now that you are possessed of all necessary data, I beg you to instruct me fully and plainly.

I have the honor to be Sir
Your humble servant.

Enclosures.

№ 1. Note from H.E. Dr Zung to French Colleague

№ 2 Reply to my note № 1 from British Colleague

" 3 Reply to my note from my Dutch Colleague

" 4 Reply to my note from my French Colleague

№ 5. Note from H.E. Dr Zung to Foreign Ministers

" 6 Answer to note № 5 from Foreign Ministers.

Mr Adams

No 218.

Six Enclosures

Recd

Reply to Dispatch No 84
Communicating replies of
his Colleagues to those
they collectively made to
their Communication from
the Japanese

bstg

No. 3 United States Legation

Yokohama Japan July 2nd 1871.

Sir: For certain reasons The Hon. Secretary of State has requested me to inquire of you how the private debts of French traders are enforced against Japanese, and to obtain, if possible, your reply in writing to said enquiry, extending to you in advance his thanks for any trouble that you may be put to by reason of this request. In conformity with this instruction I beg leave to submit said enquiry soliciting an early reply and thanking you sincerely

I have the honor to remain etc etc

G. E. De Long

No. 5.

Maxime Outrey
Envoy Extraordinary and Minister
Plenipotentiary of France in Japan.

No. 4. Same to Chevalier Van der Hoeven His Netherlands Majesty's Minister Resident in Japan in charge for North German Confederation

No. 5

Same to Hon Adams Her Britanic Majesty's Chargé d'Affaires in Japan.

With dispatch 222

Note to Mr Emmet
Dutch and British
Colleagues.

No 1

Dated July 2nd 1871

Copy

British Legation Yedo July 4th 1871.

Sir: In answer to your letter received yesterday, I have the honor to state, that at the present time, when a British subject residing in the Kanagawa District has a claim against a Japanese subject, the usual course for him is to lay that claim before the British Vice Consul, who after perusing the papers, making the necessary translations and noting down such points as may strike him, submits all the documents to the Acting Assistant Judge for his decision as to whether the claim should be presumed or otherwise. If the Judge decides that the claim shall be presumed, the Vice Consul lays it before the Shikuge and endeavours to bring it to a settlement. If the Vice Consul fails to obtain a settlement of the claim, he submits it to Her Majesty's Representative in Japan, who then brings it to the notice of the Minister for Foreign Affairs, with whom it is discussed until some settlement is arrived at.

In the case of claims of British subjects residing in other Consular jurisdictions in Japan, the British Consular officer endeavours in the first place to obtain a settlement of the claim

The Honorable

G F Portman

claim with the local Japanese Authorities, and if he fails, he refers it to Her Majesty's Representative in Japan, who may consult the Acting Assistant Judge as to whether the claim should be prosecuted. After such consultation, or without it Her Majesty's Representative, if he considers that the claim should be prosecuted, brings it to the notice of the Minister for Foreign Affairs for discussion and settlement as in the case of claims referred to the said Representative by the Vice Consul at Kanagawa.

I have the honor to be Sir
Your most obedient Servant
F. O. Adams

Hon. Chief Justice Kanagawa.

Hon. John Ingram Cartwright
Chief Justice Supreme Court

No. 2

Dated July 4th 1871

(Copy. (Translation) Yokohama
14th July 1871

Legation of France
at
Japan

Monsieur le Ministre

I have received a letter by which you do me the honor of asking me what are the rules observed by the French authorities in the pursuit of actions by French subjects against Japanese subjects.

As (of which you are not ignorant) Japan has no tribunals regularly constituted; above all for civil and commercial questions. It is the functionaries of the administration who judge according to their own appreciations of the facts and consequently according to their greater or less intelligence of business.

When a Frenchman has a claim against a native he addresses himself to his Consulate; who after examination transmits M. de Long Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Japan

Transmit this demand to the local authorities. When there ensues a sort of negotiation either orally or in writing

The greater part of the time the Consul and the Governor eventually arrange to give a solution based on equity: but when accord cannot be established the business then comes up to the Legation which treats it diplomatically with the Minister of Foreign Affairs after assuring itself that it is well founded

I ought to say that up to the present time we have not had any serious claim which has not received a solution

As to suits by the Japanese against the French they take place regularly before the Consular tribunals composed of the Consul and two Assessors.

This tribunal of which the organization and functions are fixed by special rules judges according to the French Laws

Accept

Accept Monsieur le Ministre
the assurances of my highest consideration
(Sgd) Maximin Outrey.
Minister Plenipotentiary of France
to Japan

Delegation Japan

With dispatch No 222.

Note from the
French Minister

No 4

Dated July 14th 1871

No 37. (Translation Copy)

Yokohama 20th. day 5th. month 4th.

year Meiji / July 4th. 1871

Sir

We beg leave to acknowledge the receipt of
Your dispatch dated July 2nd. 1871

At a late interview with us Your
Excellency inquired of us as follows: "When
"Rents are brought by American Citizens against
"Japanese subjects at what place are these rents
"paid" To this we gave you an informal and
general reply but we now desire to give a more
explicit answer to Your Excellency's enquiry
in writing.

All rents between the above mentioned
persons whether of a civil or criminal character
are to be paid to His Excellency the Minister
H.B.M. Envoy
or
the Envoy and Minister
Plenipotentiary of the U.S. of America in Japan

must be held at the (Rancho) Government
Office of such place respectively.

It is an established rule with us
as that the Alcaldes shall have
jurisdiction in all civil actions and
the Juzgamiento (Board of punishment)
in all Criminal cases, and that all
Cases of importance shall be
referred from the Rancho (or
district-Court) to such of
these boards as the case may be

The Rancho is merely a branch
or local office of these Departments.

All cases in which foreigners
are concerned will go through the
same procedure. They will be
first examined by the Rancho
of such open port and should it be
found impossible to settle the
matter

matter then it will be
referred to the Gwai mushō (
Gaiji Office) for adjudication

The above has been the mode
of procedure hereto for but these rules
it is clearly perceived must be gradually
altered and the subject is now
under consideration

Your Excellency will please
favour accept this as my reply to
your inquiry

I shall the honor to be
Your Servants with respect and
Consideration

Sana Noburyoshi
Yama Guchi no yoshi
of the Gwaimusho.

Delegation Japan

With dispatch No 222

Reply of Japanese Minister

No 5

Dated July 7th 1871

Copy

No 3 United States Legation

Yokohama Japan July 2nd 1871.

To His Excellencies

The Ministers for Foreign Affairs &c. &c. &c.

Your Excellencies:

At our interview on the day before yesterday, I enquired of you if there was any Courts established in your Empire in which American citizens of Japanese could institute actions for the enforcement of private claims. I understood you to reply, informing me "that there was no such Courts yet established, but that their establishment was contemplated by your Government"; "that your only courts were the Mimbusho and the Jotoushi: "the former authorized to hear and determine matters of a civil nature between Japanese, only, and the latter for the trial of criminals, only".

I address you this note to obtain your reply in writing, that I may be certain of the correctness of my understanding of what you said, and that I may lay your reply before my Government for its information.

I would thank your Excellencies for

for an early reply to this, as I wish to at once forward your answer.

With respect and consideration

I have the honor to be
Your Excellency's most obedient servant
L. E. De Long
Envoy Extraordinary and Minister Plenipotentiary

Legation Japan

With dispatch No. 222

Note from Mr. Long
to Japanese Ministry
for Foreign Affairs.

No 5

Dated July 2nd 1871

Copy:

Yokohama July 6th 1871.

Sir:

I have the honor to acknowledge the receipt of your Despatch, dated July 3rd 1871, No 4, whereby you informs me, that, for certain reasons the Honorable Secretary of State has requested you to inquire how the private debts of Dutch and German traders are enforced against Japanese.

Until now, all claims for small amounts against Japanese merchants residing in Yokohama or at the open ports, have been settled by the local Japanese authorities at the request of the Dutch or North German Consuls, but as for claims against Japanese merchants residing in the country, Damios or their Agents, the intervention of the respective Legations has been invoked: that is to say, the Dutch or North German Representative has addressed himself to the Foreign Office who has brought the case before the competent Japanese Court.

This mode of proceeding, adopted by all Legations, not only gives them great trouble but

His Excellency G. C. Verbeck Esq
Minister Plenipotentiary and
Envoy Extraordinary of the U.S.A
in Japan

but may often places them in a difficult position with the Japanese Government.

Nor, does it seem to be consistent with the object of most of our treaties.

The North American Treaty, concluded the 20th of February 1869, says, "if a North American citizen has a complaint or grievance against a Japanese subject, the case shall be decided by the Japanese authorities".

The Dutch Treaty, in conformity with the American, concluded in 1858, says "the Consular Courts shall be open to Japanese creditors to enable them to recover their just claims against Dutch subjects, and the Japanese court shall in like manner be open to Dutch subjects for the recovery of their just claims against Japanese". Thus expressing, it would seem, the right of our subjects to appeal directly to the Japanese Court, without intervention of the Diplomatic or Consular authorities. But this course, as I had the honor to state before, has never been followed, nor have the Japanese creditors addressed themselves directly to our Consuls, but always forwarded their claims through the Japanese Government, or the Japanese local authorities

authorities. At different times I called the attention of the Japanese Ministers to the fact that their Court, composed of Government officers, in certain cases, as with claims against the Government itself, or against Japanese Princes, could not be a good and impartial one, and that no real confidence could be put in its decisions.

I observed that it was desirable to create judicial Courts, composed of independent judges not influenced by the Government, and not removable at its pleasure. I know that Mr von Brandt, the North German Chargé d'Affaires, was on terms, has pronounced himself in the same way to the Japanese Government. This matter seems to me worthy of serious consideration at the next revision of the Treaties, and the efforts of the Representatives ought to concur in inducing the Japanese Government to reorganize the now existing system and to create a state of things which would assure to the subjects of the different Treaty Powers a fair administration of justice.

I have the honor to remain Sir.

Your most obedient Servant

J. P. Vander Hoeven

Legation Japan

With dispatch No 222.

Note from the
Dutch Minister

No 3.

Dated July 5th 1871

Civil Sub Expmt Act 201

Wm Pratt

DEPARTMENT OF STATE RECEIVED AUG 26 1871

United States Legation

Yokohama Japan July 17th 1871

No 225

Hon. C C De Long

Envoy Extraordinary and

Minister Plenipotentiary

Contents.

Forwarding a communication from William P Mangum Esq. relative to his demand of the Japanese Government that Q Wilkes Esq be deported. Also that he be compelled to pay a certain Japanese woman for compensation for several years labor as a domestic servant and that he also be compelled to pay a due allowance to maintain and support a certain bastard child of his.

Also advising you of my instructions to Mr Mangum in reply.

No 223 United States Legation

Yokohama Japan July 17th 1871

Sir:

I beg leave to advise you of
the receipt by me a few days since of
a Note from Wells P Maugum Esq
U.S. Consul at Nagasaki (Enclosure No 1) informing me 1/223
of the receipt by him of a Letter of Complaint
de by the Governor of Nagasaki against me
& W Lake Esq. (Enclosure No 2) demanding 2/223
that said G W Lake on account of his
several grave convictions of crimes in
the Consular Court at Nagasaki should be
compelled to leave the Empire in pursuance
of the provisions of Article of the Treaty between
Japan and the United States. Also
Hon Hamilton Fish Secretary
Secretary of State
Washington D C.

Enclosing and calling Mr Mangum's
attention to a Complaint made against
said Lake by a Japanese woman, asking
a judgment for the value of the services
performed for Mr Lake during a period
of years as a domestic Servant; and for
an allowance to support a bastard child
of said Lake's born to Smi by her
during the same period; which statement
of the woman was connected with an
affirmatory statement by the Master
of the Village where the woman resides
3/223 (Enclosure No 3)

With the same mail Mr
Mangum also enclosed to me a copy
of an official letter addressed by Smi
4/223 to Mr Lake (Enclosure No 4) in
which he notified Smi of the Complaints
and demands; and directed Smi to
answer

Minister and leave the Empire of Japan within three months from the date of this letter (July 7th 1871) or otherwise, declaring that if he remained in Japan after that time he would not be accorded any protection by the American Authorities in the country.

This communication I replied to on yesterday, in part affirming the arrangements proceeding and pointing out to him a proper course of practice to govern his actions in similar cases in this future (Enclosure No 5)

No 223

I told him in my instructions to him I have announced such rules as will meet with your kind approval.

I have the honor to be Sir

Your most obedient Servant

E. E. Dering

Enclosures.

No 1 Note from W. P. Mangum to C. C. De Long

No 2. Do from Governor of Nagasaki to W. P. Mangum Esq.

No 3. Complaint of Japanese woman and Village Mayor against Mr Lake

No 4. Letter of Mangum to Lake advising him of these complaints and demands and directing him to leave Japan.

No 5. Note of instructions from Lt C. De Long to Wm P. Mangum Esq

Copy

No 213

Mr Lake

Requests

Wm. P. Mangum Esq

Will present the enclosed letter from the Japanese Minister of Foreign Affairs to the Governor of Nagasaki, and request him to cause the matters complained of therein to be investigated, and if found true, to be remedied.

By Command of the Emperor

Sanetomi Sanjo

Dajo Daijin

Tokio, Japan

Feb. 4th 1873

Consulate of the United States
Nagasaki July 8th 1871.

To

His Excellency
Hon C. E. De Long
Envoy Ex & Minister Plen.
Yokohama.

Sir.

I have the honor to inform you that I have received a letter from His Excellency the Governor of Nagasaki forwarding to me a complaint against G. W. Sarre, made by a Japanese woman residing at Nagasaki, named Iotta, requesting me to have the matter investigated and justice done in the premises, & that His Excellency in forwarding this Complaint refers to the past career of said G. W. Sarre at Nagasaki, & calling attention to the fact, that under the VII^th^ article of the Treaty, he has forfeited his right of residence in Japan, requests that this provision of the Treaty be enforced against him.

I enclose a copy of the Petition of said Iotta, which fully explains her case,

Marked Enclosure A. and a copy of the Governors letter, marked Enclosure B.

I have notified the said E. W. Earle of the complaint and to appear at an early day at Nagasaki in order that the matter may be investigated. But as he is at present at Yokohama, out of my jurisdiction so that I cannot serve a summons or him in the usual form, I will thank you to take such other steps as you may deem proper and requisite to compel his appearance. And in compliance with the requisition of the Governor. I have also informed him that he has forfeited his right to go more than one Japanese ri inland from his place of residence which is at Nagasaki, and his right to reside in Japan, and that he must leave the country, allowing him three months from the date of my letter to him. July 7th 1871. to settle his affairs.

I enclose a copy of my letter to the said E. W. Earle, marked enclosure. C. and beg that you will issue the necessary instructions to have the said article of

the Treaty enforced at the other open ports, in this case.

I have the honor to be
Sir.
Your Most Obdt Servt
(Signed) Willie. P. Mangum
U.S. Consul.

Legation Japan

With dispatch No 223

Note from H. P. Mangum
to C. E. de Long. forwarding
Complaint of Governor &c
against G. W. Lake Esq.

No 1

Dated July 8th. 1871

Nagasaki 19th 5th Month
4th Year Meiji.

Sir.

Herewith enclosed I beg to forward you two petitions with the translation in which a woman named Yasu (who was the prostitute under the employ of Matsumura Izumejiro in this town, and known formerly by the name of Tarashiro, complains of the action of Mr E. W. Sarle by whom she was kept eleven years, as if she was his wife, and by whom she has one living child. His action appears to be most cruel and odious. As this concerns to the vicissitudes of said Yasu and her child, which I cannot lay aside. I therefore beg to request you to have investigated the matter at once and inform me the result.

Mr E. W. Sarle often behaved violently during his stay in this Port, and he has several times been ordered before your Consular Court for his bad conduct and convicted and furnished according to the Laws of your country. by being fined, and confined in the jail of the Foreign office

Willie. P. Mangum Esq.
U.S. Consul

as he is so wicked it is unknown what serious consequences may be caused by him in the future which gives trouble to both sides.

I therefore must request you to have sent him back to his country as soon as the complaint of said Jaka has been investi=gated and justice done. For he has lost his right to live in Japan according to the Treaty which says in the Article VII that "Americans who have been convict=ed of felony, or twice convicted of misde=meanors, shall not go more than one Japanese Ri inland from the places of their respective residences, and all persons so convicted, shall loose their right of permanent residence in Japan. And the Japanese Authorities may require them to leave the country." I therefore again request you that this article of the Treaty be put in force against Mr G. W. Barse

With Compliments

(Signed) Meyagawa Tsuyuki

Gen Chiji of Nagasaki

United States Consulate
Nagasaki July 7th 1871.

The above and foregoing is a true copy of the original translation of the letter of the Governor of Nagasaki, on file in this office.

(signed) Willis. P. Mangum
U.S. Consul.

(U.S.
C.S.)

Legation Japan

With dispatch No 223

Note from Governor of
Nagasaki to W P Mayers

No 2

Dated 19th of 5th Month
& from Iruda

copies

To the U. S. Consul.

Nagasaki.

I the undersigned have the honor to present the following petition:-

I was employed by Mr G. W. Lance during the eleven years up to the present year since I was first engaged into his service, when in the Year 1860, he had been discharged from his duty as the door Keeper of "Evanaga" (Bungalow of Mess Walsh Hall & Co) I lived with him together in the house lived and took the great pains in order to spend our days trying to prevent from the leaking of rain through the roof of the house, by covering blankets under the floor, and at the same time, he commenced to do his business on the Cattle & fowls and could not give a Coolie for supplying grass to the Cattle not having had a single "Cash" so I crossed myself daily over to Inasa to take the grass for cattles feed up to them, & made his continuance on such business by my discharging the works of man or maid servants during the fast six or

seven years, he became so rich from time to time as he is at present.

When I spent the days hardly with Mr G. W. Sarce, my parents and sisters came and told me many times that it is better for me to seperate from him, because my long servitude to the man whose business consists of Butchery, should not bring me to a happy future, but thinking that it was not right to do so I was joining to Mr G. W. Sarce. concealing myself from the eyes of others

I was waiting that Mr G. W. Sarce who proceeded to Yokohama on his business in the year 1869. would return to this port in some days, but he who left them directly for his native country and did not com= =municate with me. for about two years, in the affecting manner he has arrived at his house in Osaka this time

During his absence from this Port. his brother and Srin a clerk residing at his house were very unkind to me & gave nothing in order to support myself and child two, so I was obliged for two years to pass my

days in the Houses of my Friends in the same street of this Town and sisters for every Half month, and there in the House of some Foreigners or in selling my clothes, and in Covering some money from any others for which I was very much distressed during these two years

Mr G. W. Lance told me that he intended this time to send for his wife, he married with at his native country, of which I was learned of already, and that he will separate from me, for my living with him makes his wife disagreable on her arival to this port, which I thought to be just for him, and complied with such proposals made by him. Because the womans feelings are of the same generally in the world. I inquired to him what shall be do with the child, and was told that he would separate from me and the child, When I replied to him, where shall I go with the child, for I have no house to live in, he said he will have the carpenter to remove the next House on the next Lot No 44. belonging to him, and to build up the same

again for me in my street of the town. Consequently I was satisfied with such proposals of his separation of me and child.

As he has changed his intentions at present. accusing me falsly that I had a secret lover during his absence on account of my having lived in the house of the street of the town. I am very sad daily for such disapointment, so I request you earnestly you will understand that when Mr G. W. Sarce formerly left this port for Yokohama and returned to me, he suspected for a secret lover, and beaten me many times. It might be very happy for me many times if I gave the child to any man as an adopted son, this child was born seven years ago. I would not be troubled myself so much as I am now. It is certain that Mr G. W. Sarce did not allow me to do so at the time, and I am keeping the child until he is seven years old.

I cannot conceive that Mr G. W. Sarce who though at first the child as his own one, and took a great care in rearing him up by hiring a wet nurse &c, tells me now many difficulties, saying that the child

is not his own one. Having been proposed by Mr G. W. Sake an excessive kindness for me, changing suddenly his intention which seems to me to be the advice of his brother and clerk named "Sin", I thought often it would be better for me that I lost my life, but I did not so. having thoughts of the child and I am now in great distress

Pray, you will be kind enough to make an assistance for me and child that I shall pass my days with child so easily as possible.

Mr G. W. Sake told me once that if he married with coming woman he shall me marry off to some Japanese, but I believe that I cannot immediately marry unto any man, for not only accompanying a child, but I was already twenty eight years old, instead of being seventeen or eighteen years old.

On his excessive proposal I am very sad and perplexed at present what to do. while I kept myself strictly during his absence, thinking that I have not the right to marry freely with another not

having separated yet from him.

If you will a good advice to Mr G. W. Lake after you considered well the above circumstances, that he will give me and child a suitable assistance. I would be very much thankful, and never forget your greatest favor in all my life.

(Signed) Lake
Petitioner

I hereby certify that the woman named Lake petitions as it mentioned above.

(Signed) Sudzuki Hanzaburo
Village Master of Tomachi

United States Consulate
Nagasaki July 7th 1874.

The above and foregoing is a true copy of the original translation received from the Governor of Nagasaki.

(Signed) Willis P. Mangum
U.S. Consul

(U.S.
C.S.)

Copy

To the
United States Consul
Nagasaki.

I the undersigned
have the honor to state you the fol=
=lowing as the additional request.

Having removed my self to the next
empty house No 44 on the 17th inst. and being
presently visited by two or three foreigners,
was requested to resume my engagement for
them, because Mr G.W. Sake married some
European Lady at his country, and to consent
to their own request adding a conversation of
Mr G.W. Sake with them, that he told them
to transfer me any time if I will satisfy with
it. But I declined it soon saying with anger,
that Mr G.W. Sake is very wrong and let them
have gone aways, of which I believe that
Mr G.W. Sake told them truly so and so.

I beg to express you my extreme surprise,
that I was much suppressed with such
a wrong of Mr G.W. Sake while he cannot
complete even my subsistence at all, I who
was seventeen years old when engaged for
Mr G.W. Sake have been registered at first

in the list of "Kulswaya" only by the name, but had not quite a reason that I offered myself to the same tea house. two or three Japanese women have been engaged for Mr G. W. Sake before I was, but they left from him away because they were vexed of his much fierceness. so that none of them could engage herself for Mr G. W. Sake any longer. so I succeeded to the engagement of the said predecessors for him, while I well understood him to be fierceman,

Thereafter Mr G. W. Sake was dealing the butchery briskness, but he made no payment for me to the above tea house "Kuljwaga" except 4 Koos got from him some time, or 8 Koos within two months as my pocket money. with which amount I made the payment for the Tea house.

At that time Mr G. W. Sake promised me that he being unable to make immediate payment for me, will pay the total amount at future years and helps me and child better by and by, because he had the child afterwards, but I think now it is out of the way that he failed his last word meaning

that he considered me always just the same as his wife, and will marry not with any other woman in his life, and likewise that everything would be shared in two parts if we should oblige to seperate from each other, because the mutual industry pro=
=duced his estate to the richness.

The above child whom I am growing up richness still with my great love, is now seven years old. because I believe him to be my true one since his birth, but Mr G. U. Soame expressed me his pretext that the above child was made through my lewdy intercourse with some Japanese in town of Nagasaki, instead of his true child. while he was no doubt present when the birth of the child took place, of which I observe it. as if he had been prompted by two men (his brother and clerk named Sin) to do such evil, or should have changed his mind for account of his having married some lady. under these circumstances I have been over=
=whelmed with a deep sorrow, went on the sea-side one or two times for the purpose of to commit my suicide by drowning, but this

was prevented for the grief of my young child to be left alone from me.

Although I am of course a foolish woman and should not be good for Mr G. W. Sarke, yet I was engaged for him during eleven years about. If he persists upon such a pretext from me can I keep an livelihood and are very hard to do so though I being over age, can be allowed to marry with any body.

I am very angry against his bad conduct, and believe that there is no difference of the community between foreigners and Japanese, so it is of my hope that I am at home only with my child expecting his full growth.

If you will put any suspicions upon my declaration. I can prove it with my cutting hair. so I beg to request you will be good enough to understand my excepive sorrow and call Mr G. W. Sarke into your office to explain him well the contents of my petition.

I beg to add it was some years ago that Mr G. W. Sarke went to his country. and

came not again to Nagasaki for a long time, when I obliged to be engaged for some foreigners more than one year, because I alone who have been left in Nagasaki by them, and could not eather drink. meanwhile Mr G. W. Soake came back to Nagasaki and wounded the said foreigner at his great disputs with each other. And this case was laid before H. B. M: Consul and settled, and I was then in the right to be engaged for the above wounded foreigner and requested to Mr G. W. Soake that I may discharge my engagement for. But he declined it and after this he told to my parents at Simabara that they may deposit me & child their home during his absence & pay them truly for the subsporting money.

Therefore I beg to repeat my request, that you will take a favorable assistance, so that I and child may keep subsistence to the last of our days.

2nd Month 4th Year Meiji

Signed Take.

Petitioner

I hereby certify that the woman named Take petition as it mentions above.

(Signed) Sudzuki Hanzabro
Village Master of Tomachi.

United States Consulate

Nagasaki July 7th 187[illegible].

The above and foregoing is a true copy of the original translation received from the Governor of Nagasaki.

(Signed) Willie. P. Mangum

U.S. Consul.

(U.S. C.S.)

Enclosure No 2 in Dispatch No 223

Statement of Complaint by Japanese Woman against Village Head-man Gennoji-Gyoda.

No 3

No 52.

Consulate of the United States.
Nagasaki. July 7th 1871.

To.
Geo. W. Lake. Esq.

Sir.

I received yesterday from His Excellency the Governor of Nagasaki a letter requesting me to investigate a complaint which he enclosed, made against you by a Japanese woman named "Lake" who asserts that she lived with you at Nagasaki for several years as your wife, and has one child now living, of which you are the father, that she labored to assist you in making a living when you were without means, and was instrumental in your success, as she expressed in her petition "The mutual industry produced his estate to the richness", she also asserts that you have also cast off both herself and child without adequate means of support, and appeals to the Authorities to have justice done to them.

I hereby notify you to appear at Nagasaki at an early day, so that this

matter may be investigated. In his letter the Governor refers to your past career in Nagasaki and calling attention to the fact that under the 7th Article of the Treaty you have forfeited your right of perma-nent residence in Japan. requests that the provision of the Treaty be enforced against you. Article VIII. Americans who may have been convicted of felony or twice convicted of misdemeanors. shall not go more than one Japanese ri inland from the place of their respective residence. And all persons so convicted shall lose their right of permanent residence in Japan and the Japanese Authorities may require them to leave the Country"

Under this clause of the treaty you have clearly forfeited your right to go more than one Japanese ri inland from your place of residence. the same being at Nagasaki. and your right of permanent residence in Japan. and now the Japanese Authorities require that you shall leave the country.

In compliance with the requisition of the Japanese Authorities, I hereby notify

yer of this Forfeiture and inform yer that yer must leave Japan. allowing yer three (3) months time from this date. July 7th 1871. to settle yerr affairs. if at the expiration of this allotted period yer shall still remain in this Empire. yer will not be accorded any protection by the American Authorities in the Country

I am

Sir.

Very Respectfully

(Signed) Willis. P. Mangum

U. S. Consul.

Legation Japan

With dispatch No 223

Letter of Wm P Mangum to G W Lake advising him of his complaints against him; requiring him to apply stamps and clear papers within three months from the 7th of July 1871

No 4

Dated July 7th 1871

No 19. U.S. Legation Yokohama

Japan July 16th 1871

Sir.

I have the honor to acknowledge the receipt of your dispatch No 53. of the 8th inst with its enclosures.

The measures taken by you in regard to Mr G W Lake in intrusting him to leave the country or that he would at the expiration of three months from the date of your notice lose the right to claim any protection from United States Officers resident here; seems to be in strict accordance with the instructions upon this subject from the State Department

I would suggest to you the propriety of advising all of your brother Consuls in this Empire of your order; and also in such cases remit such an order to the US Marshal at the port where such convict is to be found; with directions to make personal service of a copy of the order and return the original to you with his proceedings endorsed thereon in writing. In this way you will secure

Willis P Maugham Esq

Consul, Nagasaki Japan

timely

Trinity Consl of your orders and have enclosed Constantly on file in your office showing when and where the person was served.

In regard to the affair of the Japanese Romano claim against Mr Sake I can only say that if she claims wages as a servant or support for her child as being the infant of Mr Sake she must in order to bring Mr Sake into Court commence action by filing Complaints in writing sworn to, setting forth her cause of action or complaint and praying for a judgement for some certain sum of money or other relief whereupon it will be your duty to issue a Summons under the seal of your Court, directed to the Defendant summoning him to appear at such time as is provided by the Consular Court Regulations; Attach a copy of the Summons to a Copy of the Complaint, and to the original Summons attach an order to the U.S. Marshal to whom you send it for service directing him to make service and return of the writ as by the regulations for Consular Courts it is provided. Thus you may have a Summons from your Court served at any port in the Empire and

in

in this way only can a Defendant be brought into Court in a Civil action

Consequently I cannot comply with your request by taking any steps to compel Mr Lake to respond to the application on behalf of the woman forwarded to you by his Grievance

I have the honor to be Sir

Your most obedient Servant

C E De Long

With dispatch No 223

Note of instructions
from Edwards to
Willis P Mangum Esq

No 5

Dated July 16th 1871

Jap 1 Ack'd Ackn Copy Pratt

DEPARTMENT OF STATE
RECEIVED
AUG 22 1871

United States Legation

Yokohama Japan July 20th 1871

No 234

Hon B B De Long

Envoy Extraordinary and

Minister Plenipotentiary

Contents

Acknowledgment receipt of Audubons

Works and communicating correspondence

relative to their presentation and

acceptance

No 224. United States Legation

Yokohama Japan July 20th 1871

Sir.

I have the honor to advise you of the receipt by me of the ten volumes of works of James Audubon and that in compliance with your instructions I addressed Hon. Excellency the Minister for Foreign Affairs a Note (Enclosure No 1) 1/224 forwarding them as a present on behalf of the Government of the United States to that of Japan.

To this Note I this day received a reply (Enclosure No 2) 2/224

Both from this Note and from the verbal assurances of His Excellency the Minister I learn that this proceeding

Hon Hamilton Fish gave

Secretary of State

Washington DC

I gave His Majesty the Emperor very great pleasure

in assuring to your kind approval of my proceedings

I have the honor to remain

Sir

Your most obedient Servant

C E De Long

Enclosure

1 Note to Ministers for Foreign Affairs

2. Reply to my Note

Lieut C E De Long U S Navy

Commanding Expedition of the United States Government

Arctic Ocean & Siberia

To convey assurances of

Consideration

Copenhagen

and be received by him as a slight token
of the high good will of the Government of
the United States for His Majesty

The case containing these volumes
having been damaged during its transit
I have been compelled to have another made
to enclose them in, for the plainness of
which I beg leave to tender to you my
personal apologies

I have the honor Sir to remain
Yours with respect and consideration

C. E. De Long

Enclosure
Bill of Lading for
Case shipped per Bk 224
Note of Japanese Govt
presenting books by
Prince Arisugawa

No 1

Dated Aug 6th 1871

(Copy) United States Legation
No. 6. Yokohama Japan July 6th 1871

To His Excellency
The Minister for Foreign Affairs

&c. &c. &c.

Your Excellency

By the last mail the undersigned Envoy Extraordinary and Minister Plenipotentiary of the United States of America in Japan received from his Government a copy of the works of the distinguished naturalist James Audubon on the Birds of North America in seven volumes and the Quadrupeds of North America in three volumes with illustrations colored after nature with instructions pursuant thereto the Government of Japan as a present from the Government of the United States.

In compliance with those instructions the undersigned has now the pleasure of committing the same to your Excellency's keeping and begs that there works may serve alike entertaining and instructive to His Majesty the Tenno

And

Copy of translation

Tokei the 2d. of the 6th Month
of the 4th. Year Meiji

Your Excellency

I have the honor to
acknowledge the receipt of your favor of
the 5th. of the seventh Month of 1871
presenting to His Majesty the Tenno Ten
Volumes containing Concise descriptions of
the Birds and Quadrupeds of North
America by the distinguished
Naturalists James Audobon.

I immediately exhibited this
kind present to His Majesty who
accepted it with profound satisfaction
and ordered me to express His most
grateful thanks for the same to
Your Government.

Whilst I am engaged in preparing
some Articles to be presented to Your
Government in return I beg leave to
write to
His Excellency
C. E. De Long
Envoy Extraordinary and Minister
Plenipotentiary of the U. S. of America in Japan

write to you to make known our Majesty's high satisfaction which I beg that you will be so kind as to at once make known to your Government

I have the honor to remain

Yours with respect and consideration

Sawa Nobuyoshi.

Minister for Foreign Affairs.

Enclosure in No 225

Copy of Japanese Secretary's Receipt to Russian Chargé d'Affaires

---

No 2

Date

2nd Oct. 1876. Bank, Yokohama

Ackd

Japan

Portrait.

DEPARTMENT OF STATE
RECEIVED
AUG 22 1871

United States Legation

Yokohama Japan July 20th 1871

No 235

Hon. C. E. De Long

Envoy Extraordinary and

Minister Plenipotentiary

Contents.

Advising you of my having this

day approved of the nomination of

Mr George S Mitchell as Vice Consul for Kanagawa.

No 225 United States Legation

Yokohama Japan July 20th 1871

Sir.

I have the honor to advise you that Mr C O Shepard U S Consul at Hiogo acting for Kanagawa Japan to day forwarded to me his commission of Mr George A Bitchell as U S Vice Consul for this port and that I approved of the same.

I have the honor Sir to be

Your most obedient Servant

C E DeLong

Hon Hamilton Fish

Secretary of State

Washington D C

C. & D. Long

No 225.

Received

Approving of the nomination of Mr George N Mitchell's appointment as British Consul at Kanagawa

Sat ack adm Dr Rutt

DEPARTMENT OF STATE RECEIVED AUG 29 1871

United States Legation

Yokohama Japan July 20th 1871

No 226

Hon C E De Long

Envoy Extraordinary and

Minister Plenipotentiary

Contents.

Forwarding an enclosing Letter from Gen

P Frank Walker Consul at Kobe detailing

the ravages of a great Typhoon and

tidal wave that visited that port

and caused immense loss of life and

property.

The Vice Consul begs to be excused for

his delayed reports of business matters as

he was a sufferer by the disaster

No 226 United States Legation

Yokohama Japan July 20th 1871

Sir.

I beg leave to advise you that recently a fearful tempest swept over the port of Kobe in this Empire destroying a great number of lives and an immense amount of property.

To day I received from General Paul Frank Von Möllendorf Consul at that port a very interesting description of the storm and its effects both upon the place and the people. (Enclosure No 1)

6/226

The Vice Consul himself narrowly escaped with his life sustaining a serious loss of his own

Hon Hamilton Fish proper

Secretary of State

Washington D C

property but saving the archives and property of the Consulate

He begs me to extend this account as an excuse for his delay in forwarding by this mail his quarterly accounts &c

I have the honor

Sir to be

Your Most obedient Servant

E. E. De Long,

Enclosure

No 1. Letter of Consul Frank

Cable Despy

No 226

Dec 28 1880

Received

Approved by Secretary

Steam and Engineering

Navy Dept.

Chief Bur of Ord and Hydrography

No. 126.

DEPARTMENT OF STATE
RECEIVED
AUG
22
1871

Consulate of the United States of America
Osaca & Hiogo, July 17th 1871.

Sir:

It is with deep regret I have to report that on the night from the 5th to the 6th instant a most disastrous Typhoon visited this port, causing serious damages to many American citizens whose property was located on the beach. I might particularize and state: J. F. Trombly from the China & Japan Trading Co. lost all their steamers, three in number, which at present lay on the beach, a chaotic heap of devastation, Messrs. Walsh, Hall & Co's Steamer Augusta had a very narrow escape thanks to the presence of mind of her Master Capt. Hubbert; Messrs. Tillson & Co barely escaped with their lives; Before the high running seas, to all appearance, a Tidal wave, originated by an earthquake, of which frequent shocks were felt at the time and for a few days preceding — had completely gutted their premises. The fine houses partly finished, partly in course of erection, of Messrs. D. Carroll & Co, into one of the first I only a few days before the storm, I had moved the Consular office and my private residence are temporarily wrecked, and the new hotel adjoining the house occupied by me, one of the finest buildings in Kobe, which seemed so substantial had to a great

extent succumbed to the terrific force of the sea. Fronting the Foreign Concession, the sea Bundwall is a thing of the past, but fortunately the houses erected on the Bund have sustained little damage. You can imagine the force and height of the sea, when a large schooner, some twenty tons, has been washed over the American Natoba, [the one on the Western end of the Foreign Concession] and now lies in the street half way to Main Street. This encroachment of the sea is considered a Tidal wave, although doubted by many experienced parties. My premises being directly on the beach, I experienced the full force of the sea which burst with terrific violence through my house, carrying away veranda and balcony, although raised on solid masonry over four feet above the level of the beach, and at least fourteen feet over high water mark. In front of my house lies the wreck of the British bark "Pride of the Thames", only a few yards from my front door, from which I was obliged to witness the bodies of three unfortunate members of her crew recovered from the wreck lying on the beach. The extent of damage to Japanese property and shipping is beyond computation, and the number of lives lost cannot be ascertained yet. In Hiogo harbor, it is estimated that four hundred Junks were sunk, in one alone were two hundred people, who all perished in the waves. I had barely time to leave the house by the back

entrance with Mrs. Franks wading Knee deep in the water and walk through it for nearly half a mile to get shelter in a friend's house, which considering the state of my health gave me excruciating pain, and can only have a baneful effect in the future, which I much dread. Thank God it was no worse. My personal property has sustained considerable damage, the books archives and valuable documents, I am happy to report are safe. Having only just moved to the new office, from the wretched shed I had before been located, and of which not an atom now remains, and being occupied in arranging books and papers, permit me to state, that through this dreadful calamity, I am backward with the usual quarterly returns, and the time being so short before the departure of the mail, I can not get the necessary documents prepared, having for this large consular district to rely for all the work on nobody but myself.

Therefore I beg, Your Excellency will explain and convey to the Department of State the foregoing reasons for the Returns not coming to hand with the usual punctuality

I have the honor to be

Your Excellency's

over.

Most obedient servant

P. Frank.

U. S. Vice-Consul.

His Excellency

Hon C. E. De Long

Envoy Extraordinary and Minister Plenipotentiary.

Fort Wrangel Alaska 226

Sir I have the honor to
report having duly
received your
Despatch

No 1

dated July 15 th 1871

Ackd Sept

Yokohama. Japan. July 21. 1871.

DEPARTMENT OF STATE
RECEIVED
SEP 1 1871

The Honorable G B Davis.
Assistant Secretary of State
Washington DC.

Sir.

With reference to Your despatch to me of the 4th March last, Kindly granting me the right of appeal to the Department, Should Mr DeLong fail in his Ministerial duties to me. I now have to my great regret to say, that I find myself Compelled to address You on Such a very unpleasant Subject.

In my letter of the 20th December last I informed You, that Mr DeLong

had

had determined to have me arrested, and
that I intended to frustrate that design.

I had no alternative but to elude such
a demonstration, which could certainly have
subserved no American interest - and which
would have been disgraceful for other
Nationalities. - I accordingly proceeded on
the 1st January last to Atami, - a place
situated at a short distance beyond the
Treaty limits of the port, where I patiently
waited, until I should receive the information
from my friend, that Mr Berg, who was
then under a stringent medical treatment,
had improved, so as to enable me to
return to Yedo or Yokohama, - and temporarily
resume my duty at the Legation. - until
such time, that Your reply to my letter of
the 20th December above mentioned could reach
here, when I expected to be free to return
to

to the United States.

During the latter part of the same month (January) and while absent as above stated, Mr Shepard then Consul at Yedo, proceeded to my residence in that Capital, caused the locks and doors to be forced open, and my furniture to be seized and removed; and as I was further informed, that furniture was subsequently sold at public auction.

An order of attachment was further made out for $ 86.43/ Mexican currency on my account in the Chartered Mercantile Bank at this port, and under the coöperation of the British Consul the Bank paid that amount. I transmit
N°. Enclosure N° 1 Copy of the Notice of the Manager of this Bank.

By this proceeding the loss I sustained amounted at a very low estimate

estimate to threehundred Mexican dollars.-

With my letter to the Department of the 20th December, I transmitted two Summonses, dated during that month, and it is in pursuance thereof - and of my non-appearance in Mr Shepard's Consular Court, that judgment must have been rendered against me by default, and hence the execution, as shown by the Bank Manager's notice, the only one of any kind I received.

Being at that time in office and registered at the Legation, I beg to submit, that I was not under the Consular jurisdiction Mr Shepard assumed over me; - and I therefore considered his proceeding not in accordance with law. - I know besides, that on the part of the Japanese concerned there was fraud. - One of the Summonses alleged a complaint of the Japanese Government against my.

my longer occupying those premises in Yedo - and praying for an order to me to vacate the same.. His complaint was represented in St Shepard's Court by a messenger of the Japanese department for Foreign affairs, who had no authority, and who further to the best of my knowledge and belief was not required to show his authority. -. The other Summons for me to pay houserent for four years and four months claimed to be due for the same premises was represented by the Priest of the Temple Daishoji, - who almost in an agony of grief came to inform me of all these proceedings, and humbly apologized for the part he was compelled to take therein. "He only "had taken charge of that Temple then "some four months ago; he knew how I

always

"always not only paid my rent punctually,
"but also besides kept the premises in repair
"and good condition at my expense. . But he
"had a family dependent upon him for support,
"and if he did not make such statements
"in the Consular Courts as were required of
"him, he would be thrown into prison and
"severely punished".-

Mr Shepard has no doubt reported to the Department his version of that case. I must do Mr Shepard the justice to say, that I do not believe he would have committed any such injustice - if he were free, but being exceedingly weak both in mind and body, - there is no doubt, that in this, as in all other matters, he is directed by Mr de Long. ...

In order to avoid eclat and coming into contact with functionaries, who used the power delegated to them, as I conceived

so.

So unscrupulously and so unjustly, I determined, when late in April I received Your despatch of the 4th March to quietly complete my preparations for leaving, and on the eve of my departure for the United States to endeavor to arrange this unpleasant matter amicably, - and to recover the loss that had been inflicted on me.-

And just when I was prepared to do so, - early in June, (the precise date I omitted to note,) the Constable of the Consulate called on me during the afternoon with a writ from McDeLong, to appear before him immediately.- the Constable holding out a threat, that if I did not comply, force would be called to his assistance, and on my enquiry, I was informed, that I could procure no copy of that writ.- I was permitted however to see, that it was signed by McDeLong. that

that it had the Legation Seal affixed to it, and that it was dated the 3d December of last Year.-

Believing from the excited manner of the Constable, and from the date of the writ, (then about five months old), that there was a mistake of some sort; I proceeded at once to the Consulate, where I met Mr Shepard, who informed me, that he knew of the writ, - and he simply referred me to his Marshal who was to execute it.-

While expressing my perfect willingness to call on Mr Sedong at any time he should wish to see me, I then and there respectfully urged, that the proceeding of the writ a warrant was an unusual one, - that a private Citizen could only be arrested under a warrant from the Consul.-

I wished to register myself at the Consulate

dup.

though I expected and hoped to be able to leave Japan soon.. but Mr Shepard stated, that he would not require my registration, and as for the Ministerial writ or warrant, that he could not interfere with any act of his superior officer.. - I then proceeded to Mr de Long's house, - the constable following me at a short distance.. - Mr de Long was about taking a drive with his family, and we then made the appointment to meet at his house again some two hours later.. He received me quite civilly in his office - none being present but his two eldest children.. He opened the conversation by stating, "that he wished to speak to me "about that lot matter, - he wanted my "titledeed to record it at the Legation, - he "had been commissioned by Captain Thelps "(the General Agent of the Pacific Mail Company) "to secure that lot for him, - that I could

obtain

"obtain a good price for it now;- and that if he
"had my titledeed, he could have a new one
"made out in proper form,- and that altogether
"the arrangement would be a satisfactory one
"to me".-

These brief remarks of Mr Delong, though civilly made, impressed me with the conviction, that a pressure was to be exercised upon me in favor of the intended purchaser.. - I respectfully objected to Mr Delong's registration as quite unusual and unnecessary.. I also represented, that a new titledeed was not required,- as I considered the present one quite good enough.. We freely conversed on the subject.- Mr Delong admitted, that the Department had never accepted a site for temporarily building a legation residence at Yokohama;- and that none would ever be needed.. Neither did he deny Mr Van Valkenburgh's Authority to transfer that deed

to.

to me,- & that the payment of backrent I had assumed and made amounted really to more than what I could have purchased the lot for, when it was offered at public Sale in July 1867.- I further explained to Mr de Long, what I had written to the Department in December last, when a question had been raised by him; how I had offered; if the Department should now wish to reconsider the matter, to surrender not only that lot N 97. but also the adjoining lot N 95 in addition.. that though my letter had been acknowledged, no reply had been given to that offer, or any notice taken of it.." that I expected no acceptance of the offer as Congress had made no appropriation, and would not likely make any (at an opened port. - I further stated, that Mr de Long readily admitted that in the first

to obtain evidence)

place. I had made no profit - and that I could expect none - if I now sold the place; I informed him, that I would be most happy if I could dispose of it without loss, and further, that I would very much prefer to have it publicly disposed of in such a manner, that I could never be suspected of having made a profit of any kind in Japan, where I had held office during so many years.-

It was then agreed between Mr De Long and myself, that we should wait one more mail for the departments' pleasure.. Mr De Long would let me know, if he received any information -. On my part I made a similar promise; it was understood of course, that I should make no disposal of my premises in the meantime .-. Just previous to arriving at ~~this satisfactory~~ conclusion, Mr De Long, on finding evidently, that ~~all~~ my answers to all his questions and enquiries agreed with well known facts, exhibited

Symptoms

Symptoms of temper or nervousness, when he informed me, "that he was making out a case against me" - and "that he would "anyhow restrain me from selling the "premises". - I took good care therefore not to call his attention to the fact, that his offer to purchase the premises on behalf of Captain Phelps was the clearest and fullest admission of my right to do with my own as I pleased, - As such remark, however sound and logical, and for that very reason probably, would have irritated him unnecessarily - Mr Delong wishes to control everything, - and he has very little control over himself. -

On the morning of the 24th June and before the mail steamer then due, had made her appearance, I happened to meet Captain Phelps - who had then returned from China, - and a friendly explanation then elicited, that what had passed between Mr Delong

and myself relative to his (Captain Phelps')
intention to purchase my premises was
quite correct - I thought no more of the
matter - Captain Phelps left on the 27th Ultimo.

You may then judge of my surprise, when
during the afternoon of that day at 3 o'clock
precisely Marshal Dennison of the Territorial
appeared with a Ministerial warrant pen
de bene, ordering me to forthwith deliver my
titledeed, or in default thereof to be taken to
Jail for Contempt of Court. - At three o'clock
all offices were closed - it was well known
therefore, as I could keep no papers nany
articles of value on my premises, that it was
impossible to comply with the demand. I
respectfully protested against the action of M.
de Long and claimed that as a private Citizen
only a warrant from the Criminal Court could
cause my arrest. - Contempt of Court I could
not have committed, as I never had been in
any Court - M Dennison then went to the

Consulate and soon returned with a verbal message from the Consul Shepard, that he could not interfere with the action of a Superior Officer. -- The Constable of the Consulate and two Municipal Constables in the meantime surrounded my house, and by these four armed persons I was then marched through the streets of Yokohama in broad daylight and placed in the British Common Jail. -- On the next day I succeeded in procuring a room in the debtor's prison. -- I engaged Counsel Mr G W Hill, an American lawyer, - he commending him while securing justice for me to have a due regard for Mr Delong's official position. -- Mr Hill had two or three interviews with Mr Delong, the upshot of which was, "that I was arrested and "confined in Jail for an indefinite period "for Contempt of Court. Mr Delong had shown "to Mr Hill for his perusal a record of

"of the Court proceedings - and it was the
"Long's intention to keep me in Jail at all
"hazard until I surrendered my titledeed."
Mr Hill further informed me, that "Delong
"was the highest in authority - and to all
"intents and purposes above the Law for the
"time being; - the Council would take no
"action - No writ of habeas capus would return
"me to liberty, or secure me a hearing as Mr
"Delong would refuse to entertain anything
"of the Kind. - He further said: that I had been
"wronged and grievously wronged, - that there was
no doubt the Department would redress that
"wrong, but that it would at least take three
"and probably four months bifor the Department
"could be heard from, - and that in the mean-
"time I would have to remain in Jail and
"take the consequences." - He advised me to surrender
my titledeed and assured me "that Mr De
"Long had emphatically declared, that he did not
"intend to take my property away from me. -

St.

Mr McHill in conclusion said, that he could do nothing more for me. I was obliged to call other Counsel Mr F W Marks, - also licensed to practice in our Courts in Japan. Mr DeLong's declarations that my property would not be touched were more emphatic than ever, and they were quite uninvited. - However the thermometer stood at more than 90° in the Shade, several cases of typhoid fever had made their appearance in Yokohama. I was in close confinement; - my health, I felt would soon deserve to be considered. I sent for my titledeed and received it on the 30th from Yedo, where I had placed it for safekeeping. after the said that had been made on my account in the Chartered Mercantile Bank as above stated. - On that day, then after three days confinement, the titledeed was surrendered by Mr Marks on my behalf, and I was released from duress.

L.

18

I have the honor to transmit

1st Enclosure № 2. Copy and translation of my titledeed, now in Mr Delong's possession, to which is appended Copy of the official transfer by Mr Minister Van Valkenburgh, and also Copy of Mr Delong's official certificate.

2nd Enclosure № 3 a brief Statement by myself regarding that lot and the manner in which I acquired it - already in substance communicated in my letter of the 20th December last.

3rd Enclosure № 4 Mr Bittman to Mr Shepard.

4th " № 5 Mr Shepard to Mr Bittman.

5th " № 6. Copy Marshal Dennison's order to the British Jailor, showing that I was confined for an indefinite period and ~~for an~~ alleged for an contempt of Court.

—

No papers of any kind in this vexatious Case of Mr Delong's making could I procure. Mr Hill and Mr Mark both licensed to practice in our Courts in Japan, form

Salus

feelings of professional delicacy, declined to make an effort in this direction. I beg therefore to refer You to such copies of his so called legal papers, which Mr Delong will no doubt transmit by this mail, in what I cannot help considering his most highhanded and illegal proceedings.-

As both the Lawyers above named stated, that Mr Delong's Court proceedings looked quite regular and in order, I can only believe, that the interview between Mr Delong and myself early in June, the full substance, of which I submitted in this letter - must have been worked up by Mr Delong afterwards into a Court record of some sort; but how ever then we parted on pleasant terms, a Contempt of Court case could have been made out against me. I am at a loss to imagine.-

If Admiral Rogers or any officer in Command of a National vessel had been

here

here, I feel sure that such an outrage as my arrest and confinement would have been prevented. I had no one to appeal to; the Court declined to take any steps beyond permitting his Marshal Dennison to make the arrest. - Sir Harry Parkes the British Minister, Baron von Brandt the German Chargé d'affaires, with both of whom I have always been on pleasant terms, had been here, I have no doubt a few word quietly whispered to Mr Seward from either of these two Colleagues, would have been sufficient to restrain him from respect for his official position. -

I beg to submit, that under Sec. 27 of the Law approved June 1864, Mr Seward as Attorney "has appellate jurisdiction only, except in cases "where a Court is engaged as a party or a "witness" - and therefore, that his assumption of original jurisdiction as would appear from his Court record, whatever that may be, was not according to Law. -: that my arrest and confinement

was

was still more illegal, in the first place, because even if I had been in a Court, most certainly no Contempt had been committed; and secondly - because my arrest should then have been for a definite and not an indefinite period; and only if I had declined to pay the fine usually inflicted in such cases. -

Mr de Long has since endeavored to procure admissions from me of the legality of his Ministerial & judicial proceedings, but such admission on my part would be meaningless and worthless; the law being very clear and explicit on the point of jurisdiction ... The first attempt to extract such an admission was made while I was in Jail, when Mr Hill showed me a note from Mr de Long, which I was not permitted to have in my hand, - and which was to the effect, that if I applied in writing to Mr de Long

Le

he would then give me a three days leave from Jail to proceed to Yedo. in charge of Marshal Denison, for the purpose of procuring my titledeed for delivery to him. - Such a leave of absence I of course declined. Again a few days ago, he asked me to send him an affidavit in regard to the lot N 97. but I declined to give it to him, preferring to transmit it myself to encurring the risk of a garbled version being submitted to you, and also because my furnishing him long with such an affidavit, would be construed by him as an admission on my part of the legality of his proceedings against me.-

My bill of costs to Mr Marks, including costs of Mr Hill amounts to $419.25/ Mexican currency and I have paid it. The charge is exorbitant, but there is no disputing such bills in Japan, which would be an imprudence likely under the

the present circumstances to entail further expense and annoyances.-

I have already sustained a wrongful loss of $ 300.. as first above stated, and now another sum of $419 25/ had to be paid; $719 25/. Mexican currency in all.- I am besides compilled to waste my time in idleness, and to remain here at some expense.-- I have been empisoned three days, and for that outrage I do not see how I can obtain satisfaction.. I can procure no papers a affidavits of any kind,.- and unless I may be permitted eventually to attach the Salaries of Messrs. De long and Shepard for the amounts mentioned respectively. I shall have to suffer loss to that extent.- An amicable settlement here is at present out of the question..-

I hold a letter from Mr Marks

addressed

addressed to me, in which he states, that on the 4th instant, when conferring with Mr. DeLong - my title to the lot was not disputed by him.

The following is an extract from that letter dated the 7th instant.

"I had a long interview with
"His Excellency on the 4th of July - and
"he explained to me his reasons for
"requiring the titledeed. - He will have
"to send home a statement of the whole
"Case to Washington, - and Your title will
"then be either confirmed, and a new deed
"made out to You of the property, or
"You will be compensated for Your outlay.
" Meanwhile Mr DeLong on my representation
"fully recognizes Your title to the land,
"and he has little doubt, that the US
"Government will endorse the transfer to You
"made by Genl Van Valkenburgh. - The record

"in which You were committed for
"Contempt Seems all in order. I perused
"it attentively. Mr DeLong Says, that he
"will assist You as far as he can in
"laying Your case most favorably before
"the home Authorities." * x x x x x

But instead of simply recording the titledeed, as required by the warrant for my arrest and confinement under which I surrendered it, and while in duress, Mr DeLong has now filed, not a copy, but the original at the Legation. as You will perceive from his certificate, copy of which is appended to my copy titledeed transmitted herewith as Enclosure No 2.. And Yesterday I was informed by the Marks, that it is not improbable, that an Act of Congress will now be required to return one the titledeed and take it off the files of the Legation.

Such

Such a breach of faith, as Mr de Long's
action in this would seem to imply, I
feel sure the department will never sanction.-
I declare on my honor, that I possessed
some money when I came to Japan, and
that it is that money with some interest
that accrued on it, which was invested by me
in buildings and improvements on the lots
N.97 and 95 forming the compound now
occupied by me. - I was compelled to build a
place of residence, as living is exceedingly expensive
in Japan. - It is now this money I am
of course anxious to take away with me.
Mr de Long however holds my titledeed. - All
effort to settle this unpleasant matter
amicably, even involving - as I have proposed
some loss, if it could not be otherwise, have
proved in vain. I can neither sell, nor
let, nor live in peace on, these premises. -
My only and last resource is in addressing
the

the Department as I now do — and as I cannot under the present circumstances leave that property behind in charge of an Agent; I have to request, that You will be pleased to direct Mr De Long to return me the titledeed, and refrain from further molesting me, in order, that I may then be enabled to dispose of that property and return to the United States. —

The key of the most extraordinary and vexatious action of Mr De Long toward me, I apprehend, is to be found in the knowledge, he is aware I possess, of a serious impudence he committed. — Mr DeLong has received and encouraged under his roof some Japanese, who conspired against their Government. — Whether those people were bona fide conspirators, or whether they were Spies of some Daimio, I am

unable to say -- Altogether there is a restlessness and lawlessness about the Sedong, which suggest the expediency and propriety of coming as little as possible in contact with him.-

The department will no doubt be pleased to remember, that in 1852 Commodore Perry did me the honor to select me as his Clerk to accompany him first to the Lukiu Islands and then to Japan.-- Mr Fillmore was then President -- I returned during Mr Pierce's administration, and during the latter part of Mr Buchanan's administration, and in accordance with the express desire of Admiral, then Captain, Du Pont, I accompanied the Japanese Embassy then returning to their Country.-- Shortly after my arrival, and before an opportunity presented itself of returning via California, Mr Heusken was assassinated. The Foreign Ministers

Ministers in Jedo struck their flags, and at the express desire of Mr Harris, who alone remained in the Capital, I took Mr Heusken's place. - - I have been in Japan ever since, and therefore during six successive administrations, during about one year and a half of which I acted as Chargé d'affaires, when I was fortunate enough to secure the unqualified approval of the department of all my official acts...

With these antecedents, I beg respectfully to submit, that I may confidently look forward to Your Kindly granting me at Your earliest possible convenience the only favor I have now to request, namely: to direct Mr Dening to return me my titledeed, - to further refrain from interfering with me - and then

to

3d

to enable me to dispose of my property and return to the United States.

I have the honor to be Sir.

Very Respectfully

Your most Obedient Servant.

Adl Fortuny

Yokohama Japan
July 21. 1871.
Mr Portman to
Department of State.

(6. Enclosures)

Tenders services
annoyance from
Admiral.

Chartered Mercantile Bank of India
London & China.

Yokohama 24th January 1871.

A. L. C. Fatman Esq

Dear Sir,

I beg to inform You that H.B.M. Consul has notified to me that I am to hold to the order of the United States Marshal the Sum of $86.43 out of any monies that You have on deposit in this Bank - under a writ of execution in the Consular Court of the United States at Yedo. Dai Shoji Plaintiff versus Yourself.

I am Dear Sir
Your faithfully
(Signed) A Allan Shand
Acting Manager.

Regts: Titel.

Ik. Hayakawa Noto no kami Gouverneur van Kanagawa, heb een stuk grond Dynde gelegen in nabyheid van de Tempel Dzontokoein en het stuk grond gegeven door onze Regering aan die Tempel en op het bygevoegde plan bekend, meldende een duizend en een honderd Tsubos (1100) tegen de betaling van de Somma van drie honderd en seven Mex: Dollars en twee en Seventig Cents voor eén jaar (f 307.72/100) van tiende maand van eerste jaar Keion (Woedi) overeenkomende met Uwe tydrekening December 1865 af aan Dyne Excellentie Adl Portman Chargé d' affaires van Amerika verhuurd, en het genoemde Stuk grond voor het tydelyk Legatie van Amerika bevestigd, gedurende Amerikaansche Minister op onze voegzaamheid in deze haven verblyft, alhoewel de Minister van Amerika Dyne verblyf op Jedo is te houden, en de Somma van drie honderd en seven Mex: Dollars twee en Seventig Cents voor een jaar by deze betaald Dynde, verklaar ik hierby, dat het bedoelde Stuk grond verhuurd is Zoolang de Minister van Amerika den financieen officier de gronden op de bepaalde tydperk last betalen.

Door Dyne Excellentie Adl Portman is het daarom beloofd, dat gedurende Dyne Excellentie of Dyne opvolger ook in deze haven Dyne verblyf houdt op de bedelde voegzaamheid

Dyne

Zijne Excellentie het bedoelde stuk grond aan een
ander niet overdragen, of vervreemden of verhuren zal,
dan wel Zijne Excellentie zakomen zal de regulatiën
nu of later gemaakt door Japansche Autoriteiten,
dan wel Zijne Excellentie niet verzuimen zal de
genaamde grondrent van drie honderd en seventien dollars
en twee en seventig cent te betalen.

Den 10de maand van het eerste jaar Keiou

(Waesi) Febuary 1866.

(signed) 叶三諾殺許 印

NB. Het hoven bedoelde stuk grond dient in plaats
van de grond in Tsukiji te Benten, welke reeds
belooft is, en de intentie om den Kerk op het
hoven bedoelde stuk grond op te bouwen is afgezien

The foregoing deed is transferred to
A.D.C. Portman Esq. Secretary of the Legation
of the United States in Japan.

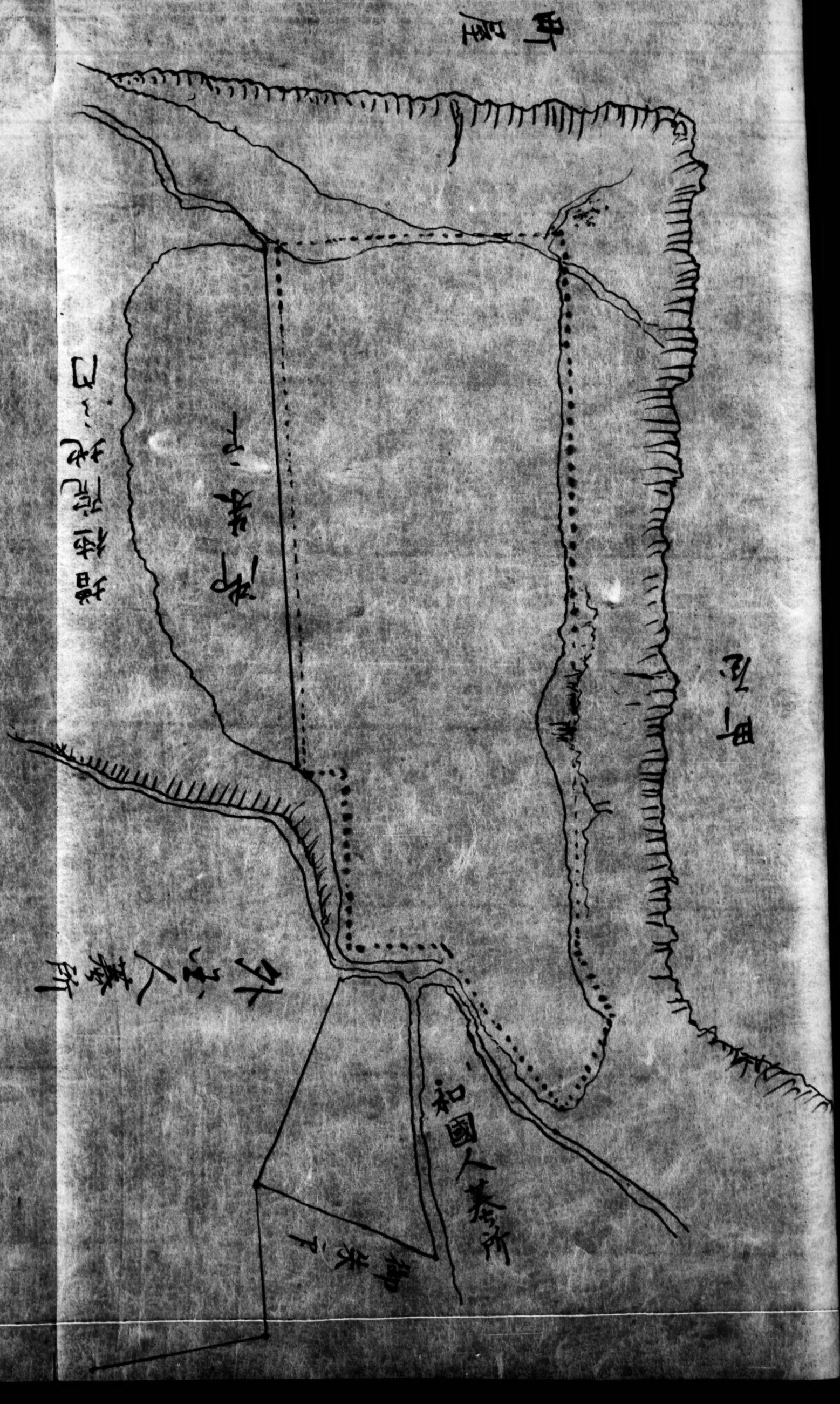
April 1869.

(signed) R.B. Van Valkenburgh
Minister Resident of the
U.S. in Japan.

(U.S. Legation Seal)

Voor eensluidend Afschrift.
Kanagawa 30 Juny 1871.
De Consul der Nederlanden.
(signed) W. van der Sak.

(Ned: Consular Seal.)


東 南
北 西
水
和國人養所
支那人養所

Translation.

Titledeed.

I, Hayakawa Notonokami Soemon of Kanagawa have rented a piece of ground situated in the neighbourhood of the Temple Djutokuin and the piece of ground given by our Government to said Temple and described in the annexed plan, measuring one thousand and one hundred tsubos (1100), in consideration of the payment of the Sum of three hundred and seven Mex: dollars and seventy two cents (Mex$307.72) annually commencing with the tenth month of the first Jear Keiou (Yoesi) corresponding with December 1865 of the Christian era to His Excellency A.L.C Portman, Ad Interim, the said piece of ground to be a temporary American Legation as long as the American Minister stays at this port with our concurrence, his official residence being at Yedo - and the payment of the Sum of three hundred and seven Mex: dollars and seventy two cents being hereby acknowledged, I hereby declare that the abovementioned piece of ground is rented to the American Minister as long as he pays the groundrent at the stipulated time to the Finance official.

It is therefore agreed by Mr. A.L.C. Portman, that as long as he or his successor may stay at this port with our concurrence as before named the said piece of ground shall not be transfered or exchanged or let, that the regulations now made or hereafter by the Japanese Authorities will be observed and that the said groundrent of three hundred and seven dollars and seventy two

Cents.

rent will always be regularly paid
the 10th month of the 1st Year Keiou (Wocci)
February 1866.
(signed) Hayakawa Noto no kami
in Japanese writing.

NB The abovementioned piece of ground given instead of the lot in the Tsukiandu at Benten and the intention of building a Church on the abovementioned place has been abandoned.

a true translation
(signed) J H Schepel
Clerk of the Neth: Consulate

The foregoing deed is transferred to the Postmaster Ex Secretary of the Legation of the United States in Japan.

April 1869 (signed) R B VanValkenburgh
Minister Resident of the US in Japan.

(US Legation Seal)

A true Copy conform
Kanagawa 30 June 1871.
The Consul of the Netherlands.
(signed) W Vander Tak.

United States Legation
Yokohama Japan July 7. 1871.

I. C E DeLong. Envoy Extraordinary and Minister Plenipotentiary of the United States of America in Japan hereby certify that the foregoing translation of lease of lot № 97 on the Bluff in Yokohama is a true correct copy of the translation of the same instrument as filed and recorded in the Legation, and that the annexed copy of the original is also to the best of my knowledge and belief a true and correct copy of the original, which is also on file and recorded in this Legation

(signed) C E DeLong.

(US Legation Seal.)

Enclosure No 2.
with letter dated
Yokohama July 21. 1871

Mr Bateman to
Department of State.

Memorandum.

By an agreement made between the Foreign Representatives and the Japanese Government in 1863 or 1864,- a copy of which was at the time transmitted to the Department, owing to Jedo then being deemed an unsafe or undesirable place of residence, lots of ground for temporary Legation quarters were assigned at Benten Yokohama.-

2. In 1865. while Acting Chargé d'Affaires I exchanged the Site at Benten for a more eligible one on the bluff at Yokohama.-

3. I at once reported this exchange to the State Department, and also, that I had caused that lot to be fenced in at my expense.-

4. A titledeed for that lot numbered 97 was accordingly issued by the Goverma of Kanagawa and delivered in September 1866, Shortly after the arrival in Japan of Mr RB VanValkenburgh as

as Minister Resident.

5. I was specially directed by Mr Van Valkenburgh not to place that paper on file at the Legation, in order that "it "might not be construed that the "United States be liable for ground rent "and back rent:" — Mr Van Valkenburgh would take no action in the matter without instructions. —

6. Mr Van Valkenburgh resided in Yedo, but on the 27th July 1867, the day of the first public bluff land Sale, he purchased a very large lot for a small sum in the shape of upset price, on which during the following year (1868) he built the dwelling house, now occupied by Mr de Long, to whom that property was sold. On the same day also (the 27th July 1867, the lot N° 97, selected as the temporary Legation lot, though fenced in, and also the adjoining lot N° 95, both forming the Compound now occupied by me ~~Mr Portman~~, were publicly offered for sale by the Japanese local Authorities at an upset price of 25 cents per tsubo of 36 square feet; but both lots remained unsold. —

8. During the Summer of 1868 Mr Van Valkenburgh, while declining himself to occupy the lot N. 99. (the temporary Legation lot) as not large enough, recommended that I should build on it, on assuming payment of all back ground rent that might be due on it.-

9. Mr Van Valkenburgh stated, that the Department had not accepted that lot and would not accept it, as Congress had made no appropriation, and that he (Mr Van Valkenburgh) would never recommend, either the acceptance of that lot or any other, or the making of any appropriation for a permanent, much less a temporary Legation residence at Yokohama; -- the place for official residence being the Capital Yedo.--

10. I was then specially authorized by Mr Van Valkenburgh to make the necessary arrangements with the Japanese Authorities, to obtain their consent to the transfer, and to my building and improving it accordingly at my own expense.-

11. The Japanese Authorities, after conferring with me; and also twice with Mr Van Valkenburgh, fully assented to the

transfer, and in proof thereof granted me the adjoining lot N 95 beforementioned for which a separate titledeed in proper form was then issued to me in my private Capacity.-

12. I agreed to pay backrent and pound-rent annually, and accordingly commenced building on the two lots abovementioned and improving them, on the strength of the joint permission of the Japanese Authorities and Mr Van Valkenburgh; and also of the latter's promise, that he would at once address the Honorable Frederick Seward, assistant secretary of state on the subject of the lot N 97, in order that no difficulty could ever arise to my detriment or inconvenience.

13. I am not acquainted with the correspondence, that passed between Mr Van Valkenburgh and the Honorable Frederick Seward, but in April of the following year (1869), when I had already been residing on the lot for some time, Mr Van Valkenburgh declared himself prepared to make the transfer, which he did officially on the original titledeed, in his own handwriting

handwriting and under the Seal of the Legation.

14. I hereby declare on my honor; that commencing in 1865, when I caused the lot N°97 to be fenced in until date, I have expended on the compound, formed of the lots N° 97 and 95, in buildings and improvements a sum of between eight thousand and eight thousand fivehundred Mexican dollars, exclusive of groundrent paid.-

15. The groundrent on lot N°95 has been paid by me until the 12th month of the last (Japanese) Year inclusive; and I now owe some groundrent on lot N°97, which has been tendered, and will be paid on presentation of a proper receipt by the Japanese Authorities.-

16. After a question was raised by Mr Delong as to my right of property to lot N°97, I addressed the Department on the Subject on the 20th December last, but in the acknowledgment of that letter, dated March 4th of this Year, no reply was made to my offer to surrender

surrender all and every part of that property to the Department (even including lot N. 95) should the Department feel inclined to reconsider the action of Mr Van Valkenburgh above referred to, in transferring it to me; and which action, I believe, to have been authorized.-

Respectfully submitted.

A. L. Cortelyou

Yokohama Japan July 1891.-

Enclosure No. 3.
with letter dated
Yokohama July 21. 1871

Mr Bruman
Department of State.

British Jail
Yokohama June 29. 1871

C. O Shepard Esq.
U.S Consul
Yokohama.

Sir

While no American Citizen can be arrested without a warrant from his Consul - and though I have called Your attention in writing to this, and received Your verbal acknowledgment through Your Marshal of that letter this day, I now find myself placed in Jail - and hereby again call upon You for protection by issuing an order for my release; when any claim that may exist against me can be tried before You in Your Consular Court.

I am
Respectfully
Your Obedient Servant
(Signed) A L C Portman

Enclosure N. 4
with letter dated
Yokohama July 21. 1870

Mr Portman to
Department of State.

№ 72.

United States Consulate
Kanagawa June 28. 1870

A. L. C. Portman Esq

Sir,

Your letter of the 27th instant are received and in reply I refer You to Sec: 209 "Regulations for the Consular Courts of the United States in Japan". and have to say, that no Superior Court is subject to the decision of, or interference from an inferior one.-

Of a charge or lack of charge against You I know nothing.

That You are arrested and confined upon a process issued by the Minister is sufficient for me to know. I decline to interfere. or ~~attempt~~ to interfere, to assume or ~~attempt~~ to assume jurisdiction as against my Superior Judicial officer the Minister.

Yr.

The Marshal is directed by law to execute all process issued by the Ministers of the United States - and in this matter he is simply complying with that law.

I must decline to hold further official or private communication with You on this subject.

I am Sir
Your Obt Servant
(signed) C. O Shepard
Consul for Yedo, acting
for Kanagawa.

Enclosure No 5
with letter dated
Yokohama July 21 1871.

Mr Portman to
Department of State.

H Vincent Esq.
HBM; Jailer.

Sir,

Please receive into custody Mr A L Portman arrested under warrant from His Ex the American Minister for contempt of the Ministerial Court - and so keep him in custody until released by proper authority.-

Signed H W Dennison.
US Marshal

Yokohama Japan.
June 27. 1871.

The foregoing is authorized and approved by me.

Signed/ C E de Long.

US Legation
Yokohama Japan.
June 28. 1871.

Enclosure No 6
with letter
dated July 21. 1870.

Mr Putnam &
Department of State.

Duplicate

Yokohama Japan. July 21. 1871.

The Honorable G P Davis
Assistant Secretary of State
Washington DC.

DEPARTMENT OF STATE
RECEIVED
SEP 27 1871

Sir.

With reference to Your despatch to me of the 4th March last, kindly granting me the right of appeal to the Department, should Mr de Long fail in his Ministerial duties to me, I now have to my great regret to say, that I find myself compelled to address You on such a very unpleasant subject. -

In my letter of the 20th December last I informed You that Mr de Long

Lad

had determined to have me arrested and that I intended to frustrate that design. I had no alternative but to elude such a demonstration, which could certainly have subserved no American interest - and which would have been disgraceful for other Nationalities. I accordingly proceeded on the 1st January last to Atami, a place situated at a short distance beyond the Treaty limits of this port, where I patiently waited until I should receive the information from my friend, that Sadedong, who was then under a stringent medical treatment, had improved so as to enable me to return to Yedo or Yokohama, - and temporarily resume my duty at the Legation, until such time that Your reply to my letter of the 20th December above mentioned could reach here. When I expected to be free to return to the

the United States.

During the latter part of the same month (January) and while absent as above stated, Mr Shepard then Consul at Yedo, proceeded to my residence in that Capital, - caused the locks and doors to be forced open and my furniture to be seized and removed, and as I was further informed, that furniture was subsequently sold at public auction.

An order of attachment was further made out for $ 86.^{43} Mexican Currency on my account in the Chartered Mercantile Bank at this port and under the coöperation of the British Consul the Bank paid that amount. I transmit herewith Enclosure N° 1 copy of the notice of the Manager of the bank.

N°. 1

By

By this proceeding the loss I sustained amounted at a very low estimate to threehundred Mexican Dollars.

With my letter to the Department of the 20th December. I transmitted two Summonses dated during that month - and it is in pursuance thereof - and of my non-appearance in Mr Shepard's Consular Court, that Judgment must have been rendered against me by default, - and hence the execution, as shown by the bank Manager's notice, the only one of any kind I received.

Being at that time in office and registered at the Legation. I beg to submit, that I was not under the Consular jurisdiction Mr Shepard assumed over me - and I therefore considered his proceedings not in accordance with law. I know besides that on the part of the Japanese concerned there was fraud. One of the Summonses alleged

a

a complaint of the Japanese Government against my longer occupying those premises in Yedo - and praying for an order to me to vacate the same. This Complaint was represented in behalf of said Court by a messenger of the Japanese Department for Foreign Affairs, who had no authority, and who further to the best of my knowledge and belief was not required to show his authority.

The other Summons for me to pay house rent for four years and four months, claimed to be due for the same premises, was represented by the Priest of the Temple Dai Sheji, who almost in an agony of grief came to inform me of all these proceedings, and humbly apologized for the part he was compelled to take therein

"He only had taken charge of that Temple.

then

"then some four months ago; he knew how I
"always not only paid my rent punctually,
"but also besides kept the premises in repair
"and good condition at my expense - But he
"had a family dependent upon him for support,
"and if he did not make such statements
"in the accounts as were required of
"him, he would be thrown into prison
"and severely punished."

Mr Shepard has no doubt reported to the Department his version of that case. I must do Mr Shepard the justice to say, that I do not believe he would have committed any such injustice if he were free. but being exceedingly weak, both in mind and body, - there is no doubt, that in this, as in all other matters he is directed by Mr De Long.

In order to avoid eclat and

Conroy

coming into contact with functionaries, who used the power delegated to them as I conceived, so unscrupulously and so unjustly, I determined, when late in April I received Your despatch of the 4th March, to quietly complete my preparations for leaving, - and on the eve of my departure for the United States to endeavor to arrange this unpleasant matter amicably - and to recover the loss that had been inflicted on me.

And just when I was prepared to do so. early in June. (the precise date I omitted to note) the Constable of the Consulate called on me during the afternoon with a writ from the Judge, to appear before him immediately; - the Constable holding out a threat, that if I did not comply force would be called to his

assistance

assistance, and on my enquiry I was informed, that I could procure no copy of that writ. - I was permitted however to see, that it was signed by Mr Deberg, that it had the Legation seal affixed to it, and that it was dated the 5th December of last Year. -

Believing from the excited manner of the Constable and from the date of the writ, (then about five months old), that there was a mistake of some sort, I proceeded at once to the Consulate, where I met Mr Shepard, who informed me, that he knew of the writ, and he simply referred me to his Marshal who was to execute it. -

While expressing my perfect willingness to call on Mr Deberg at any time he should wish to see me, I then and there respectfully urged, that the proceedings

of

of the writ or warrant was an unusual one; that a private citizen could only be arrested under a warrant from the Consul.... I wished to register myself at the consulate, though I expected and hoped to be able to leave Japan soon, but Mr Shepard stated, that he would not require my registration, - and as for the Ministerial writ or warrant, that he could not interfere with any act of his Superior officer.... I then proceeded to Mr De Long's house, the constable following me at a short distance.. Mr De Long was about taking a drive with his family; and we then made the appointment to meet at his house again some two hours later... He received me quite civilly in his office, - none being present but his two eldest children.. He opened the conversation by stating, that he wished

to

" to speak to me about that lot matter; he
" wanted my titledeed to send it to the
" Legation. He had been commissioned by Captain
" Phelps (the General Agent of the Pacific Mail
" Company) to secure that lot for him, " that I
" could obtain a good price for it now - and
" that if he had my titledeed, he could have
" a new one made out in proper form, and
" that altogether the arrangement would be a
" satisfactory one to me".

These brief remarks of Mr Delong, though civilly made, impressed me with the conviction, that a pressure was to be exercised upon me in favor of the intended purchaser. - I respectfully objected to Mr Delong's representation as quite unusual and unnecessary - I also represented, that a new titledeed was not required, as I considered the present one quite good enough. We freely conversed on the subject.

Mr

to Delong admitted, that the Department had never accepted a site for temporarily building a legation residence at Yokohama - and that none would ever be needed. Neither did he deny to Van Valkenburgh's authority to transfer that deed to me; - or that the payment of backrent I had assumed and made amounted really to more than what I could have purchased the lot for, when it was offered at public sale in July 1867. I further explained to Mr Delong, what I had written to the Department in December last, when a question had been raised by him; how I had offered, if the Department should now wish to reconsider the matter, to surrender not only that lot N. 97, but also the adjoining lot N 95 in addition. That though my letter had been acknowledged, no reply had been given to that offer, or any notice taken of

of it - " that I expected no acceptance of
the offer, as Congress had made no appropriation
and would not likely make any for a
legation residence at an opened port. - I
further stated, what Mr Delong readily admitted,
that in the first place I had made no profit,
and that I could expect none if I now
sold the place; - I informed him, that I
would be most happy, if I could dispose of
it without loss, - and further, that I would
very much prefer to have it publicly disposed
of in such a manner, that I could never
be suspected of having made a profit of any
kind in Japan, where I had held office during
so many years. -

It was then agreed between Mr Delong
and myself, that we should wait one more
mail for the Department's pleasure. Mr
Delong would let me know if he received
any information. On my part I made a

similar promise; it was understood of course, that I should make no disposal of my premises in the meantime. Just previous to arriving at this satisfactory conclusion, Mr Delong, upbraiding evidently that my answers to all his questions and inquiries agreed with well known facts, exhibited symptoms of temper or nervousness, when he informed me "that he was making "out a case against me!" - and that he "would anyhow restrain me from selling "the premises". I took good care therefore not to call his attention to the fact, that his offer to purchase the premises on behalf of Captain Phelps was the clearest and fullest admission of my right to do with my own as I pleased; - as such remark, however sound and logical, and for that very reason probably, would have irritated him unnecessarily. - Mr Delong writes

wishes to control everything. and he has very little control over himself...

On the morning of the 24th June and before the mailsteamer then due, had made her appearance, I happened to meet Captain Phelps, who had then returned from China - and a friendly explanation then elicited, that what had passed between Mr Delong and myself relative to his (Captain Phelps') intention to purchase my premises was quite correct... I ~~thought~~ no more of the matter. Captain Phelps left on the 27th Ultimo - You may then judge of my surprise, when during the afternoon of that day at 3 o'clock precisely Marshal Dennison of the Consulate appeared with a Ministerial Warrant from Mr Delong, ordering me to ~~forthwith~~ deliver my titledeed - or in default thereof to be taken to Jail for Contempt of Court!

At three o' clock all officers were closed;
it was well known therefore, as I could
keep no papers or any articles of value
on my premises, that it was impossible
to comply with the demand. I respectfully
protested against the action of Mr Delong,
and claimed, that as a private citizen
only a warrant from the Consul could
cause my arrest. - Contempt of Court
I could not have committed, as I never
had been in any Court. - Mr Dennison
then went to the Consulate, and soon
returned, with a verbal message from Mr
Consul Shepard, that he could not interfere
with the action of a superior officer. The
Constable of the Consulate and two Municipal
Constables in the meantime surrounded
my house - and by those four armed persons
I was then marched through the streets
of Yokohama in broad daylight and placed
in

in the British Common Jail.. On the next
day I succeeded in procuring a room in
the debtor's prison.. I engaged Counsel in
GW Hill an American lawyer, recommending
him, while securing justice for me to have
a due regard for deDorgs official position.
Hill had two or three interviews with
deDorg, the upshot of which was, "that I
"was arrested and confined in Jail for an
"indefinite period for contempt of Court". He
"deDorg had shown to Hill for his perusal
"a record of those Court proceedings, and it
"was deDorgs intention to keep me in
"Jail at all hazard until I surrendered
"my titledeed". Hill further informed
"me, that "deDorg was the highest in authority
"and to all intents and ~~proceedings~~ purposes
"above the law for the time being; the Court
"would take no action".. No writ of habeas
Corpus

"Corpus would return me to liberty, or
"secure me a hearing, as he deny
"would refuse to entertain anything of
"the Kind.. He further said, that I had
been wronged and grievously wronged.
"that there was no doubt the Department
"would redress that wrong, but that it
"would at least take three and probably
"four months before the Department
"could be heard from; and that in the
"meantime I must have to remain in
"Jail and take the consequences." He
advised me to surrender my title deed
and assured me that he deny had
"emphatically declared that he did not
"intend to take my property away
"from me".. He still in conclusion
said, that he could do nothing more for me,
I was obliged to call other counsel Mr

LW

F W Marks, also licensed to practise in our Courts in Japan. - He declined declaration that my property would not be touched were more emphatic than ever - and they were quite uninvited. - However. the thermometer stood at more than 90° in the shade, several cases of typhoid fever had made their appearance in Yokohama. I was in close confinement. my health I felt would soon deserve to be considered. I sent for my titledeed and received it on the 30th from Jedo where I had placed it for safekeeping, after the said that had been made on my account in the Chartered Mercantile Bank as above stated. - On that day. then after three days confinement, the titledeed was surrendered by Mr Marks on my behalf - and I was released from duress.

I have the honor to transmit Enclosure No 2

No 2.

Copy and translation of my titledeed
now in Mr Delongs possession, to which is
appended copy of the official transfer by
Mr Minister Van Valkenburgh and also copy
N3 of Mr Delongs official certificate. Enclosure N3
a brief statement by myself regarding that
lot and the manner in which I acquired
it - already in substance communicated in
my letter of the 20th December last.

N4 Enclosure N4 Mr Bateman to Mr Shepard.

N5 " N5 Mr Shepard to Mr Bateman

Nb " Nb Copy Marshal Dennison's order
to the British Jailor, Showing that I
was confined for an indefinite period
and for an alleged Contempt of Court.

No paper of any kind in this
vexatious case of Mr Delongs' making
could I procure. Mr Hill and Mr Marks
both licensed to practise in all Courts in
Japan from feelings of professional delicacy
declined

declined to make an effort in this direction.

I beg therefore to refer You to such copies of his so called legal papers, which shall be long will no doubt transmit by this mail, in what I cannot help considering his most highhanded and illegal proceedings. As both the lawyers abovenamed stated, that the delay; Court proceedings looked quite regular and in order, I can only believe, that the interview between Mr Delony and myself early in June, the full substance of which I submitted in this letter, must have been worked up by Mr Delony afterward into a Court record of some sort; but how even then, as we parted on pleasant terms, a Contempt of Court case could have been made out against me, I am at a loss to imagine!-

If Admiral Rogers or any officer in Command of a National vessel had been here

here, I feel sure that such an outrage as my arrest and confinement would have been prevented. . . I had no one to appeal to; the Council declined to take any steps beyond permitting the Marshal Dennison to make that arrest. Sir Harry Parkes the British Minister, a Baron Von Brandt the German Chargé d'Affaires, with both of whom I have always been on pleasant terms, had been here. I have no doubt a few word quietly whispered to Mr Delong from either of those two Colleagues would have been sufficient to restrain him from respect for his official position.

I beg to submit, that under Sec 29 of the Law approved June 1860. Mr Delong as "a Minister" has appellate jurisdiction "only, except in cases where a Consul "is engaged as a party or a Witness."

and

and therefore, that his assumption of original jurisdiction, as would appear from his Court record, whatever that may be, was not according to law :- that my arrest and confinement was still more illegal in the first place, because even if I had been in a Court, most certainly no Contempt had been committed, - and secondly, because my arrest should then have been for a definite and not an indefinite period, and only if I had declined to pay the fine usually inflicted in such cases.--

Mr DeLong has since endeavored to procure admission from me of the legality of his Ministerial or Judicial proceedings. but such admission on my part would be meaningless and worthless, the law being very clear and explicit on the point of jurisdiction. - The first attempt to extract such an admission was made while I was in jail, when he told me a

note from Mr DeLong. which I was
not permitted to have in my hand.,
and which was to the effect, that if
I applied in writing to Mr DeLong,
he would then give me a three days
leave from jail to proceed to Yedo,
in charge of Marshal Dennison, for
the purpose of procuring my titledeed
for delivery to him.. Such a leave
of absence I of course declined. Again
a few days ago he asked me to
send him an affidavit in regard to
the lot N. 97, but I declined to give
it to him, preferring to ~~transmit~~ it-
myself to incurring the risk of a
garbled version being submitted to
You - and also because my furnishing
Mr DeLong with such an affidavit would
be construed by him as an admission
on my part of the legality of his
proceedings

against me ..

My bill of costs to Mr Clark, including cost of Mr Hill amounts to $419 27/ Mexican Currency and I have paid it .. The charge is exorbitant, but there is no disputing such bills in Japan, which would be an impudence likely under the present circumstances to entail further expense and annoyance ..

I have already sustained a wrongful loss of $ 300 .- as first above stated . and now another sum of $ 419 27/ had to be paid; $ 719. 27/ Mexican Currency in all .. - I am besides compelled to waste my time in idleness and to remain here at some expense.

I have been imprisoned three days and for that outrage I do not see how I can obtain satisfaction .. I can procure no papers or affidavits of any kind - and unless I may be permitted eventually to attach the salaries of Messrs de Long and Shepard for

for the amounts mentioned respectively. I shall have to suffer loss to that extent.

An amicable settlement here is at present out of the question.

I hold a letter from Mr Marks addressed to me, in which he states, that on the 4th instant, when conferring with Mr Long my title to the lot was not disputed by him

The following is an extract from that letter dated the 7th instant.

"I had a long interview with
"His Excellency on the 4th of July and he
"explained to me his reasons for requiring
"the titledeed. He will have to send home
"a statement of the whole case to Washington.
"and Your title will then be either confirmed,
"and a new deed made out to You of the
"property, or You will be Compensated for

Your

"Your outlay. Meanwhile Mr Delong on my
"representations fully recognizes Your title to
"the land - and he has little doubt, that the
"Government will endorse the transfer to
"You made by Seul VanValkenburgh - the
"record, in which You were committed for
"Contempt seems all in order -" I perused
"it attentively - Mr Delong says, that he
"will assist You as far as he can in laying
"Your case most favorably before the home
"Authorities + + x x

But instead of simply recording the titledeed, as required by the warrant for my arrest and confinement, under which I surrendered it, and while in duress, Mr Delong has now filed not a copy but the original at the Legation, as You will perceive from his Certificate: Copy of which is appended to my Copy - titledeed transmitted herewith as

Enclosure N 2. And yesterday I was informed by Ito Hanke, that it is not improbable, that an Act of Congress will now be required to return me the titledeed and take it off the files of the Legation. — Such a breach of faith, as Mr Delong's action in this would seem to imply, I feel sure the Department will never sanction.

I declare on my honor, that I possessed some money when I came to Japan, and that it is that money with some interest that accrued on it, which was invested by me in buildings and improvements on the lots Nos 97 and 95, forming the compound now occupied by me. I was compelled to build a place of residence, as hiring is exceedingly expensive in Japan. — It is now this money I am of course anxious to take away with me.

Ito.

Mr Delony however hold my titledeed. All
efforts to settle this unpleasant matter amicably,
even involving as I have proposed some loss,
if it could not be otherwise, have proved in
vain.. I can neither sell, nor let, nor
live in peace on those premises. My only
and last resource is in addressing the Depart.
ment, as I now do, - and as I cannot
under the present circumstances leave that
property behind in charge of an Agent, I
have to request, that You will be pleased
to direct Mr Delony to return me the
titledeed and refrain from further molesting
me, in order that I may thus be
enabled to dispose of that property and
return to the United States. -

The key of the most extraordinary
and vexatious action of Mr Delony toward
me, I apprehend, is to be found in the

Knowledge

knowledge he is aware. I power of
a serious impudence he committed.-
Mr Dekay has received and encouraged
under his roof some Japanese, who conspired
against their Government.. Whether
these people were bona fide conspirators,
or whether they were spies of some Daimio
I am unable to say. Altogether there
is a recklessness and lawlessness about
Mr Dekay, which suggest the expediency
and propriety of coming as little as
possible in contact with him.

The Department will no doubt
be pleased to remember, that in 1852
Commodore Perry did me the honor to
select me as his Clerk to accompany him
first to the Fishing banks and then to
Japan.- Mr Fillmore was then President.
I returned during Mr Pierce's administration.

and

and during the latter part of Mr Buchanan's
administration, and in accordance with the
expres desire of Admiral then Captain Dudont.
I accompanied the Japanese Embassy then
returning to their country. Shortly after
my arival, and before an opportunity presented
itself of returning via California, Mr Heusken
was assassinated. the Foreign Ministers in
Yedo Struck their flags, and at the expres
desire of Mr Harris, who alone remained in
the Capital, I took Mr Heusken's place.
have been in Japan ever since, and therefore
during six successive Administrations, during
about one Year and a half of which I acted
as charge d'affaires, when I was fortunate
enough to secure the unqualified approval
of the Department of all my official acts.

With these antecedents I beg respectfully
to submit that I may confidently look
forward

forward to You kindly granting me, at
Your earliest possible convenience, the
only favor I have now to request;
namely: to direct Mr Delong to return
me my titledeed - to further refrain
from interfering with me - and thus
to enable me to dispose of my property
and return to the United States. -

I have the honor to be Sir

Very Respectfully

Your most Obedient Servant.

Adl Sydtmar.

Yokohama Japan
July 21. 1871

Mr Bortman. to
Department of State

6 Enclosures.

Further serious
annoyance from
Mr DeLong.

Chartered Mercantile Bank of India
London & China

Yokohama 24th January 1871.

A. L. C. Portman Esq

Dear Sir.

I beg to inform You that H.B.M. Consul has notified to me that I am to hold to the order of the United States Marshal the Sum of $86.43 out of any monies that You have on deposit in this Bank - under a writ of execution in the Consular Court of the United States at Yedo. Dai Ko Ji Plaintiff versus Yourself.

I am Dear Sir
Your faithfully
Signed A. Allan Shand.
Acting Manager.

Enclosure No 1
with letter dated
Yokohama July 21. 1871

Mr Bortman to
Department of State.

Regt.- Titel.

Ik Hayakawa Itoto no Kami Gouverneur van Kanagawa, heb een Stuk grond, Zynde gelegen in nabyheid van de Tempel Dzonto Koein en het Stuk Grond gegeven door onze Regering aan de Tempel en op het bygevoegde plan bekend, metende een duizend en een honderd Tsubos (1100) tegen de betaling van de Somma van drie honderd en Zeven Mex: dollars en tweeentwintig cent voor een jaar ($307.72/100) van tiende maand van eerste jaar Keiou (Vorige) overeenkomende met onze tydrekening December 1865 af, aan Zyne Excellentie A L C Portman Chargé d'affaires van Amerika verhuurd en het gezegende Stuk grond van het tydelyke Legatie van Amerika bevestigd, gedurende Amerikaansche Ministers of orge vertegenwoordiging in dezelaven verblyft, alhoewel de Ministers van Amerika Zyne verblyf op Jedo in te houden, en de Somma van drie honderd en Zeven Mex: dollars tweeentwintig Cents voor een jaar by deze betaald Zynde verklaar ik hierby dat het bedoelde Stuk Grond verhuurd, Zoolang de Ministers van Amerika een financien officier de gronden op bepaalde tydperk laat betalen.

Dan Zyne Excellentie A L C Portman is het daarom belooft dat gedurende Zyne Excellentie of Zyne opvolger ook in dezelaven Zyne verblyf houdt op bedoelde vergunning

Zyne

Zijne Excellentie het bedoelde stuk grond aan een ander niet overdragen, of vermiden of verhuren dat dan wel Zijne Excellentie zal komen te Kapitalen na of later gemaakt door Japansche Autoriteiten, dan wel Zijne Excellentie niet zal genieten dat bedoelde grondrent van Vierhonderd en tien dollars en twee en twintig Cents te betalen.

Den 10de maand van het 4de jaar Keiou (Woei). Jehuary 1866.

(signed) 日下部太郎

NB Het bovenbedoelde stuk grond dient in plaats van de grond in Tsukiji No 6 Banten; welke reeds verkocht is en de intentie om dit stuk op het bovenbedoelde stuk grond opte bouwen in afgezien

---

The foregoing deed is transferred to A.L.C. Portman by Secretary of the Legation of the United States in Japan

April 1869. (signed) R.B. Van Valkenburgh

(United States Legation Seal.) Minister Resident of the United States in Japan.

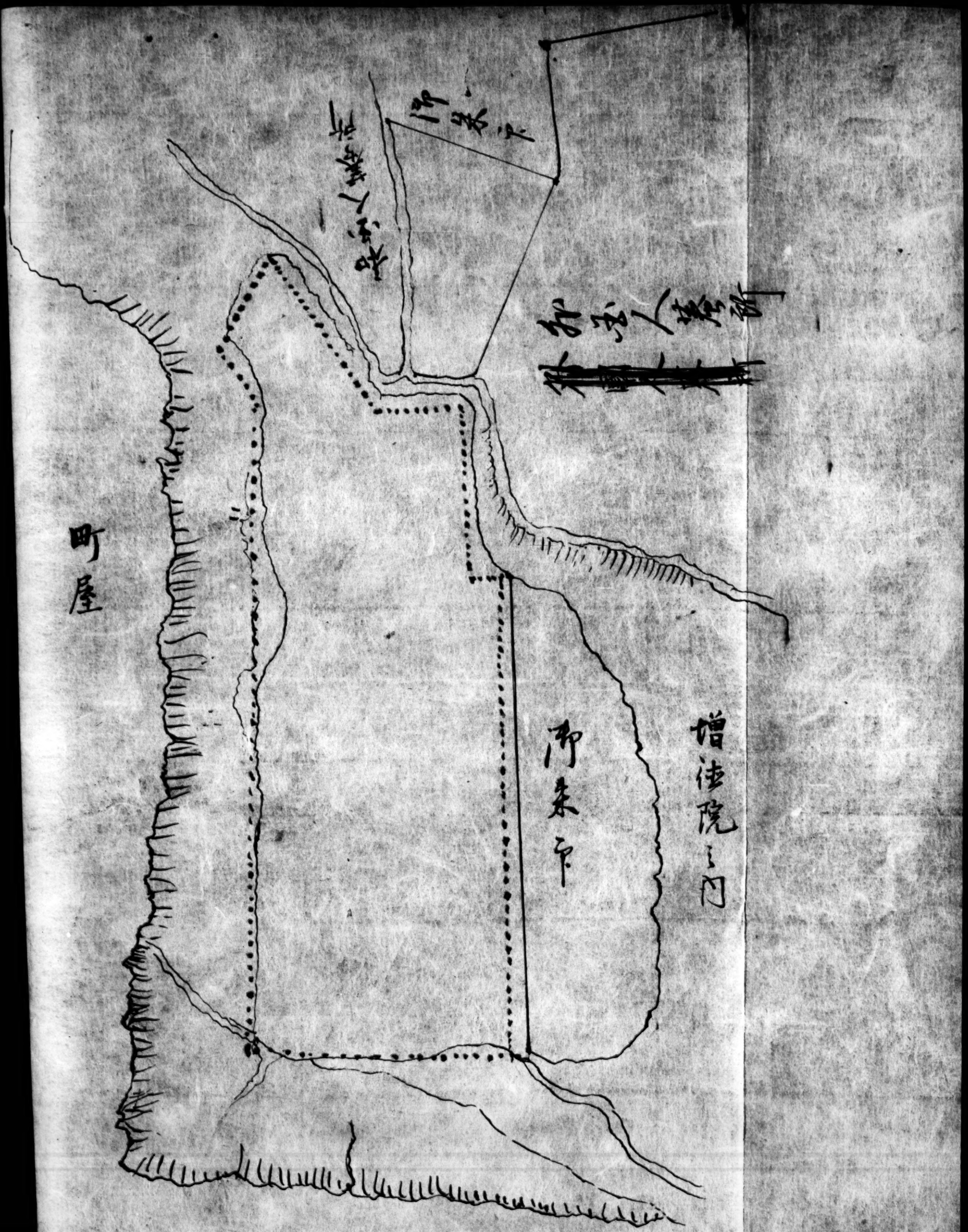
(true copy.) Voor eensluidend Afschrift

Kanagawa 30 Juny. 1871.

De Consul der Nederlanden

(signed) W. Van der Tak.

(North German Consular Seal.)


町屋
御茶屋
増徳院ノ門
御茶屋
御茶屋

Translation

Ceded.

I Hayakawa Rotsuokami Jorona of Kanagawa have rented a piece of ground situated in the neighbourhood of the Temple Gyutokuin and the piece of ground given by Government to said Temple and described in the annexed plan, measuring nethousand andnehundred tsubos (1100) in consideration of the payment of the Sum of threehundred and seven Mex: dollars and Seventy two cents ($307.72/) annually, commencing with the tenth month of the first Year Keiou (Wasei) corresponding with December 1865 of the Christian era to Theodorus A.L.C. Portman Ministre d'Affaires, the said piece of ground to be a temporary American Legation as long as the American Minister stays at this port with no inconvenience, his official residence being at Yedo and the payment of the Sum of threehundred and seven Mex: dollars and Seventy two cents being hereby acknowledged, I hereby declare that the abovementioned piece of ground is rented to the American Minister as long as he pays the foundrent at the stipulated time to the finance official.

It is further agreed by Mr. A.L.C. Portman, that as long as he or his successor may stay at this port with no inconvenience as before named, the said piece of ground shall not be transferred or exchanged or let, - that the regulations now made or hereafter by the Japanese Authorities will be observed - and that the said foundrent of three hundred and seven Dollars and Seventy two cents will always be regularly paid

The 10th month of the 1st Year of

of Keian (Woei) Ichiuary 1866

(signed) Hayakawa Noto no Kami

in Japanese Writing.

NB. The abovementioned piece of ground given instead of it bc in the Suikarekio at Banten and the intention of building a church on the abovementioned place has been abandoned.

A true translation

(signed) J H Schepel

Clerk of the Neth Consulate.

The foregoing deed is transferred to the Portuan Esq. Secretary of the Legation of the United States in Japan

April 1869. (signed) A B Van Valkenburgh

(United States Legation Seal)

Minister Resident of the U.S. in Japan.

For Copy conforme

Kanagawa 30 June 1871

The Consul of the Netherlands

(signed) W Vander Valk.

United States Legation

Yokohama Japan July 7. 1871

I C de Long Envoy Extraordinary and Minister Plenipotentiary of the United States of America in Japan hereby certify that the foregoing translation of lease of lot No 97 on the bluff in Yokohama is a true and correct copy of the translation of the same instrument on file and recorded in the Legation and that the annexed copy of the original is also to the best of my knowledge and belief a true and correct copy of the original deed on file and recorded in the Legation

(signed) C C de Long.

(U.S. Legation Seal)

Enclosure No 2
with letter dated
Yokohama July 21 1871

M Portman to
Department of State.

Memorandum.

1. By an Agreement made between the Foreign Representatives and the Japanese Government in 1863 or 1864, a copy of which was at the time transmitted to the Department, owing to Yedo then being deemed an unsafe or undesirable place of residence, lots of ground for temporary Legation quarters were assigned at Benten Yokohama.

2 In 1865, while Acting Charge d'Affaires I exchanged the Site at Benten for a more eligible one on the bluff at Yokohama

3 I at once reported this exchange to the State Department - and also that I had caused that lot to be fenced in at my expense.

4 A titledeed for that lot numbered 97 was accordingly issued by the Governor of Kanagawa and delivered in September 1866. Lately after the arrival in Japan of M R B Van Valkenburgh

ar.

as Minister Resident.

5 I was specially directed by Mr. Van Valkenburgh not to place that paper on file at the Legation in order that "it "might not be construed that the "United States be liable for ground rent "and back rent." - Mr Van Valkenburgh would take no action in the matter without instructions.

6. Mr Van Valkenburgh resided in Yedo but on the 27 July 1867. the day of the first public bluff land sale, he purchased a very large lot for a small sum in the shape of upset price - on which during the following Year (1868) he built the dwelling house now occupied by Mr de Long, to whom that property was sold.

7th On the same day also (the 27 July 1867. the lot No 97, selected as the Company Legation lot, though fenced in and also the adjoining lot No 95. both forming the Compound now occupied by me were publicly offered for sale by the Japanese local authorities at an upset price of 25 cents per tsubo of 36. square feet - but both lots remained unsold.

8. During the Summer of 1868 Mr Van Valkenburgh, while declining himself to occupy the lot N°97 (the temporary Legation lot) as not large enough, recommended that I should hold on it, on assuming payment of all back ground rent that might be due on it.

9. Mr Van Valkenburgh stated that the department had not accepted that lot, and would not accept it, as Congress had made no appropriation, and that he (Mr Van Valkenburgh) would never recommend either the acceptance of that lot or any other, or the making of any appropriation for a permanent, much less a temporary Legation residence at Yokohama: the place for official residence being the Capital Yedo.-

10. I was then specially authorized by Mr Van Valkenburgh to make the necessary arrangements with the Japanese Authorities, to obtain their consent to the transfer, and to any building and improving it according at my own expense.-

11. The Japanese authorities after conferring with me - and also twice with Mr Van Valkenburgh, heartily assented to the

transfer.

transfer, and in proof thereof granted me the adjoining lot N 95 hereinmentioned for which a separate titledeed in proper form was then issued to me in my private Capacity.

12. I agreed to pay the rent and found rent annually. and I accordingly commenced building on the two lots abovementioned and improving them on the strength of the joint permission of the Japanese authorities and Mr Van Valkenburgh; and also of the latter's promise that he would at once address the Honorable Frederick Seward Assistant Secretary of State on the subject of the lot N 97. in order that no difficulty could ever arise to my detriment or inconvenience.

13. I am not acquainted with the correspondence that passed between Mr Van Valkenburgh and the Honorable Frederick Seward, but in April of the following year (1869) when I had already been residing on the lot for sometime, Mr Van Valkenburgh declared himself prepared to make the transfer, which he did officially on the original titledeed, in his own handwriting and under the Seal of the Legation.

14. I hereby declare on my honor that commencing in 1865, when I caused that

lot

lot № 97. to be leased in until date, I have expended on the compound, formed of the lots № 97 and 95 in buildings and improvements & a sum of between eight thousand and eight thousand five hundred Mexican dollars exclusive of ground rent paid.

15). The ground rent on lot № 95 has been paid by me until the 12th month of the last (Japanese) Year inclusive; and I now owe no ground rent on lot № 97, which has been tendered, and will be paid on presentation of a proper receipt by the Japanese Authorities.

16). After a question was raised by the Daimio as to my right of property to lot № 97. I addressed the Department on the subject on the 20th December last but in the acknowledgment of that letter dated March 4th of this Year, no reply was made to my offer to surrender all and every part of that property to the Department (even including lot (№ 95) & hoped the Department feel inclined to reconsider the action of.

of the Van Valkenburgh above referred to in transferring it to me - and that I acted as I believe I have been authorized.

Respectfully submitted

A. L. Portman

Yokohama (Japan) July 1871

Enclosure No 3
with letter dated
Yokohama July 21. 1871

Mr Bateman to
Department of State.

British Jail
Yokohama June 27. 1871.

C. O. Shepard Esq.
US Consul
Yokohama.

Sir.

While no American Citizen can be arrested without a warrant from his Consul, - and though I have called Your attention in writing to this, and received Your verbal acknowledgment through Your Marshal of that letter this day, I now find myself placed in Jail, and hereby again call upon You for protection, by issuing an order for my release; when any claim that may exist against me, can be tried before You in Your Consular Court.

I am
Respectfully
Your Obedient Servant
Signed C. L. C. Portman.

Enclosure No 4.
with Letter dated
Yokohama July 21. 1870

Mr Bateman &
Department of State

№ 72.

United States Consulate
Kanagawa June 28. 1871

A. L. C. Portman Esq

Sir.

Your letter of the 27th instant are received and in reply I refer You to Sec: 209. "Regulations for the Consular Courts of the United States in Japan" - and have to say, that no Superior Court is subject to the decision of, or interference from an inferior one.

Of a charge, or lack of charge against You I know nothing

That You are arrested and confined upon a process issued by the Minister is sufficient for me to know. - I decline to interfere or attempt to interfere, to assume or attempt to assume jurisdiction as against any Superior Judicial Officer

the

the Minister.

The Marshal is directed by law to execute all process issued by the Ministers of the United States, - and in this matter he is simply complying with that law.

I must decline to hold further official or private Communication with You on this subject.

I am Sir
Your Obt Servant
Signed C O Shepard
Counsel for Feds - Acting
for Kanagawa.

Enclosure No 5
with letter dated
Yokohama July 21. 1871

Mr Bateman to
Department of State.

H Vincent Esq
H Bdl. Jailor

Sir

Please receive into Custody
at A.L.C. Portman arrested under
warrant from His the American
Minister for contempt of the Ministerial
Court - and so Keep him in
Custody until cleared by proper
authority.

Signed/ H W Dennison
US Marshal

Yokohama Japan
June 27. 1871.

The foregoing is authorized and
approved by me.

Signed) C Eddy.

US Legation
Yokohama Japan
June 28. 1871.

Enclosure No 6.
with letter
dated July 21 1891.

Mr Porter
Department of State

Mr Burdan

DEPARTMENT OF STATE RECEIVED SEP 11 1871

United States Legation

Japan August 2nd 1871

No 227

Hon E & Dr Smy

Envoy Extraordinary and

Minister Plenipotentiary

Contents

Acknowledging receipt of dispatches

Nos 90. 91. & 92. and Circulars Nos

9. and 11.

No 227 United States Legation

Yokohama Japan August 2d 1871

Sir:

I have the honor to acknowledge the receipt of your dispatches Nos 90. 91 and 92, and of your Circular No 9 of date 26th of May and No 11 of date 16th of June last.

I have the honor Sir to be

Your most obedient Servant

C E De Long

Hon Hamilton Fish

Secretary of State

Washington D C

Japan August 2 1871

C. E. De Long

No. 227.

Rec'd,

Acknowledging receipt
of Despatches & Circulars

Address No Name, nor to any
or any Communication or
the subject But to the Secy of State or to the President of the United States

DEPARTMENT OF STATE
RECEIVED
SEP
11
1871

Legation
Yokohama Japan August 3 1871

Sir

No 228

Hon B E De Long
Envoy Extraordinary and
Minister Plenipotentiary

Contents

Replying to dispatch No 91. and
communicating further advices from
Japanese Government about Employing
a Superintendent of Customs for it.

No 228 United States Legation

Yokohama Japan May 3rd 1871

Sir.

Acknowledging the receipt of your dispatch No 91 of date 22nd of June 1871. I beg leave to advise you that I at once waited upon the Japanese Ministers about this affair; when they explained that Mr Stevens return was somewhat unexpected, that they much regretted the error but still hoped that you would extend your good offices to secure for them a competent man to arrange a Customs Service and superintend it for them.

I requested them to renew their

Hon application

Hamilton Fish

Secretary of State

Washington D C

application in writing which has
been done and was received by me to day
(Enclosure No 1)

I sincerely trust that you will
adopt Mr Morris the Charge des Affairs
& that a man of first-class attainments
will be appointed.

I have the honor to be Sir
Your most obedient Servant
C Edwd Dr Long

C Edwd Long
No 228
Mr Buchanan
Received
Stating application
of Washington Government
for exequatur as
Secretary & Interpreter
Supernumerary attached

(Copy Translation) Yokei the 15 of the 6th month
of the 4th year Meiji

Your Excellency.

I have the honor to answer
a request of our employing a certain
American professor of the Commercial
and Revenue Laws of the particulars of
which I have already communicated
to O Tsuna no shisin Sto. Kin Bunri
(Assistant Vice Minister of Finance
Department) who was then proceeding
to America advising him that he will
duely apply the matter to those
officers of the United States Government
who will transact such an affair.

However this Sto Kin Bunri
lately returned home entrusting to Mori
Aino Bennoshi (Charge d'Affaires) in
America to take subsequent steps
for the application above referred
to.

I therefore beg leave to request
of Your Excellency that
Edward Henry Sturdevant
Acting Minister Plenipotentiary
of the United States in Japan

that your Excellency will please speak to communicate the above matter to the United States Government as well as enquiest of employing on other purposes of the international law

With respect & consideration

(Sig.) Soongi Okuma Shige nobu.

Ext. despatch 228

(No.)

Letter from Speaker Ōkuma Shigenobu concerning the application for assistance & protection & employment of Captain Edward Cayward, 1871

DEPARTMENT OF STATE
SEP 21 1871
RECEIVED

Mr Pratt

Dear

United States Legation

Yokohama Japan August 16th 1871

No 239

Hon C C Du Long

Envoy Extraordinary and

Minister Plenipotentiary

Contents.

Communicating a Letter from the Tenno of Japan to the President of the United States

C. E. De Long

Com. No 229

Communicating to the President of the United States a Letter from the Emperor of Japan

Received

Two Enclosures

DEPARTMENT OF STATE
RECEIVED
SEP 21 1871

No 229 United States Legation

Yokohama Japan Aug 16th 1871

Sir.

It affords me much pleasure to forward herewith a Letter from His Majesty The Tenno of Japan to The President which I trust may meet his observation.

As a testimonial of personal good standing at the Court to which I am accredited I think it is of a high character as you must know of a purely voluntary nature.

I send the original Letter (Enclosure No 1) with a translation there of (Enclosure No 2) I have the honor Sir to be

Your Most obedient Servt

Hon Hamilton Fish

Secretary of State

Washington D C

C E De Long

DEPARTMENT OF STATE
SEP 21 1871

E Pruda

United States Legation

Yokohama Japan August 17th 1871

No 230

All went enough except I think our Minister should have availed himself of the occasion to make the Japanese Govn & Dr Long permission to land the Cable Envy Extraordinary and conditional upon some limitation in favour Minister Plenipotentiary of the two governments priority of use — of prices to be charged,

Contents.

The Asiatic Commercial Company by E E Rice Attorney applied through me to the Japanese Government for permission to land a submarine Cable at certain ports in Japan. Request granted and inquiry made if I shall now hold a conference and frame a Convention with the officers of the Japanese Government to carry out this purpose

No 230 United States Legation

Yokohama Japan 17th of Aug 1871

Sir.

On the 20th of July last Mr George F Rice acting US Vice Consul at Yedo addressed me a communication (Enclosure No 1) on behalf of his Father Mr E E Rice US Consul at Hakodadi requesting me to procure for the Asiatic Commercial Co composed of numerous persons the privilege of landing a sub marine telegraph cable at various ports in Japan. 1/230

Enclosed with this communication there was first copy of a communication that Mr E E Rice had himself addressed to the Ministers of Foreign Affairs preferring the same request (Enclosure No 2) with a 2/230

Hon Hamilton Fish Copy

Secretary of State

Washington D C

Copy of a Memorandum stating for the
specifically what during this grant and the
3/230 purposes of the applicants (Enclosure No. 3)

I at once addressed the Ministers
4/230 upon the subject (Enclosure No 4) and a
few days since received their reply (Enclosure
5/230 No 5) conceding the permission at the ports
of Yokohama and Nagasaki.

I do not consider that it is proper for me
to go further and obtain a specific grant by
Convention without first submitting the matter
to you and obtaining your sanction.

I therefore refer this whole matter to you
and will await your advice and instructions

I have the honor to be Sir

Your Most Obedt Servt. [illegible]

Enclosures.

No 1. Letter of George E. Rice

No 2 Letter of E C Rice

No 3. Memorandum

No 4. Note of min to Japanese Minister

No 5. Reply of Japanese Minister

August 1st 1871

C & De Long

No 230.

About having obtained a concession from the Japanese Government allowing the Asiatic Commercial Company to land a Sub Marine Telegraph Cable in Japan Asking for Instructions

Dated August 17th 1871

Copy. Yedo July 20 th 1871

Hon'ble Le Gendre
Ndl Env & Min Plen
Yokohama

Sir

I have the honor to hand you herewith a letter from E. E. Rice Esq Atty to H.E. Sawa Minister for Foreign Affairs of the Japanese Government praying that a grant may be allowed the Asiatic Commercial and Telegraphic Company to land a cable on this Country and most respectfully request that you will at an early day lay the same before the Japanese Government with such request as you may deem most proper to make in the premises.

I am Sir

Your most obedient Servant

Geo E Rice

for E E Rice

Attorney for the Incorporators

U S Legation Japan

With dispatch No 230

No 1

Letter from George E Rice asking for permission to land and Examine Telegraph Cable in Japan.

Dated. July 20th 1871

Yokohama Japan
June 27th 1871

His Excellency Sawa
Minister for Foreign Affairs
Yokei

Sir.

The undersigned has the honor to
lay before your Excellency, enclosed Memoranda
for the consideration of the Government
of His Majesty the Tenno and most
respectfully requests that permission
may be granted to the parties named
therein.

I have also to request that a Letter
may be granted to be presented to the
Governor of Hakodadi on my arrival there
asking his good offices in selecting the
best route across the Island of Yesso

I have the honor to be
Sir
Your most obedient Servant
E. E. Rice
Attorney for the Incorporators

Delegation Japan

With dispatch No 230

No 2

Letter of E C Rice Esq
to Minister for Foreign
Affairs.

Dated June 27th 1871

Memoranda

The first right and permission is hereby granted to Hon. J. W. Goodrich P. W. D. Collins E. Easby. L. B. Cushing. J. S. Wilcox B. F. Flint and others associated with them as the Asiatic Commercial Telegraphic Company to land a Telegraphic Cable or Cables from Washington Territory United States of America via Ocean direct or via Fox and other Islands to Yokohama or Hakodadi Japan as shall be found most practicable by said Company after careful surveys and to erect all stations poles etc necessary for the successful operation of the same.

Ms Legation Japan

With dispatch 230

No 3.

Memorandum submitted by Mr E E Rice for the Asiatic Commercial Co

No date

(Copy) United States Legation

No 13. Yokohama Japan July 21st 1871

To His Excellency

The Minister for Foreign Affairs

&c &c &c

Your Excellency

At the request of Mr E Peirce who signs himself as the attorny for the Asiatic Commercial and Telegraphic Company The undersigned Envoy Extraordinary and Minister Plenipotentiary of the United States of America in Japan presents an application on behalf of said Company for permission to land a sub marine telegraph cable at Hakodadi or other ports in this Empire Connecting it with the United States via Washington Territory by telegraphic connection

No exclusive privilege is sought and no land situation or other property in or will be sought to be made use of without due compensation being made therefor

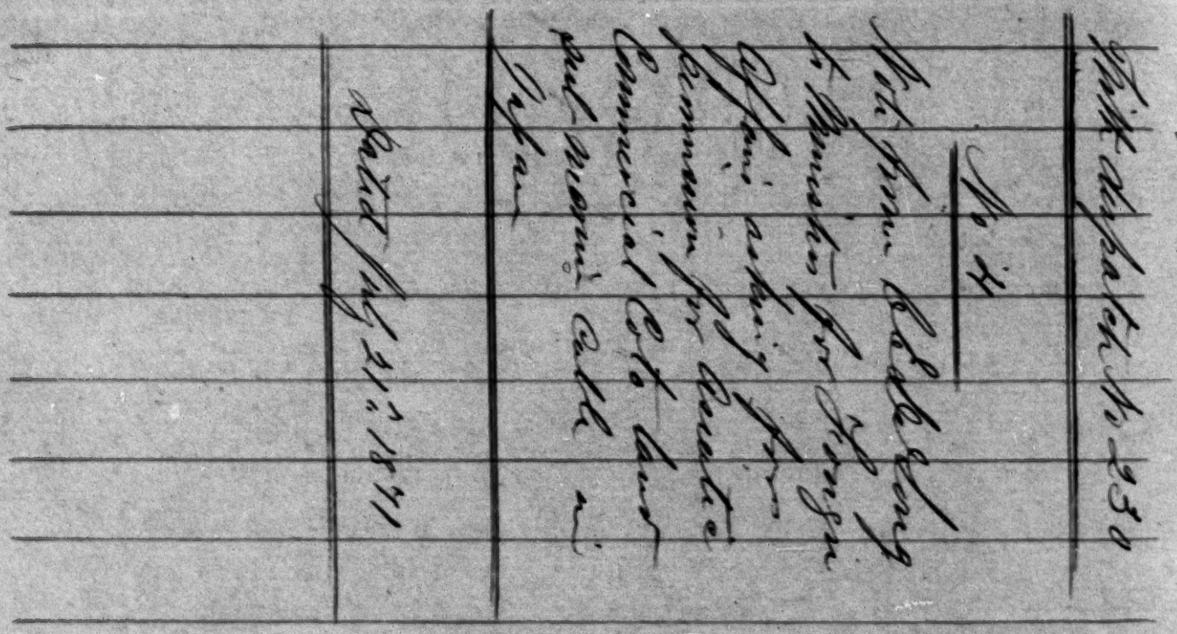
It is but a grant such as the numerous ones for similar purposes that you have already made is all that is desired

May I request Your Excellency's

speedy

I speedy reply to this communication
that it may be remitted to Washington
by the Steamer that leaves Sm on the 15th
of next month

I am most obedient Servant
A D De Long



(Translation
Copy)

Yokohama the 15th of 6th Month
4th Year Meiji

To His Excellency
C. E. DeLong Esqr Extraordinary
and Minister Plenipotentiary of
the U.S.A. in Japan

Your Excellency,

In reply to your communication dated
July the 21st 1871 and number 13
requesting permission for the Asiatic
Commercial and Telegraph Company
to land a Sub Marine Telegraph Cable
at Hakodada and other ports in this
Empire, connecting this Empire
with the United States of America by
Cable. We beg to say that there is no
objection on the part of this Government
to this landing the same at Nagasaki
and Yokohama but we are unable to
consent to this landing it at any
other ports, although the Company
you make this application in behalf
of is different from the one in whose
behalf you applied for a similar

privilege

privilege last year

Requesting you to communicate the contents of this despatch to the said Company, the undersigned renew the expression of consideration and respect

Sir, Sanwa Kayawara Nobuyoshi
Toshimichi Sugiwara Nawoyoshi
H. J. M. Ministers for Foreign Affairs.

Enclosure
Mr. Legation Japan
Tokio despatch No 2330.
No 5.
Reply of Japanese Minister granting request
Dated 15th year Meiji
4th Year of Meiji

Mr Pratt

Asst. Sec'y Dept

Asst

DEPARTMENT OF STATE
RECEIVED
SEP 21 1871

United States Legation

Yokohama Aug 21st 1871

No 231

From C E De Long

Envoy Extraordinary and

Minister Plenipotentiary

Contents.

Reporting the receipt by the last mail of a Commission as Envoy Extraordinary and Minister Plenipotentiary from the King of Hawaii; with a dispatch requesting me to negotiate conclude and execute a Treaty with Japan on behalf of the Hawaiian Government.

Reporting my proceedings thereon.

No 231 United States Legation

Yokohama Japan Aug 21st 1871

Sir

I have the honor to report to you that by the mail of the 24th of last month I received from the Hawaiian Government a dispatch requesting me to conclude a Treaty between that Government and this, referring to me a letter from the King to the Emperor and also a Commission as Hawaiian Envoy Extraordinary and Minister Plenipotentiary

I immediately set about the business, was granted an audience with His Majesty on the 14th inst at which I delivered the original letter of His Majesty the King and on the following day

Hon Hamilton Fish

Secretary of State

Washington D C

day met with the Japanese Commissioners and negotiated a Treaty. On the 4th inst I met again with them and executed the same and exchanged the ratifications thus putting the Treaty into immediate effect. I send you herewith Enclosed a copy of the draft of the

1/231 Treaty (Enclosure No 1)

Should there be any objections upon your part to my continuing to act as Envoy for Hawaii in this Empire

I have the honor to be

Sir Your most obedient Servant

C. E. De Long

C. E. De Long
No 231.
Received
Dec 5th 1880
Read Communication of Hawaiian Envoy in regard to conclusion of Treaty with Japan
Copy Enclosed

His Majesty the King of the Hawaiian Islands and His — Imperial Japanese Majesty the Tenno, being equally animated by the desire to establish relations of friendship between the two countries, have resolved to conclude a treaty, reciprocally advantageous and for that purpose have named for their Plenipotentiaries, that is to say, His Majesty the King of the Hawaiian Islands, His Excellency C. C. De Long appointed and commissioned by His Majesty, Envoy Extraordinary and Minister Plenipotentiary of the — Kingdom of Hawaii, near the — Government of His Majesty the Tenno of Japan, and His Imperial Majesty the Tenno, His Excellency Sawa Busanme Kiyowara — Nobuyoshe, Minister for Foreign Affairs, and His Excellency Terachima Suse Fujiwarra Munenori First Assistant Minister for Foreign Affairs, who having communicated to each other their — respective full powers, which are found in good order, and in proper form,

have agreed upon the following Articles,

Article 1st

There shall be perpetual peace and — friendship between His Majesty the King of the Hawaiian Islands and His Imperial Japanese Majesty the Tennō their heirs and successors, and between their respective subjects.

Article 2nd

The subjects of each of the two high — contracting parties, respectively, shall — have the liberty freely and securely to — came with their ships and cargoes to all places, ports and rivers in the territories of the other, where trade with other nations is permitted, they may remain and reside in any such ports and places respectively, and hire and occupy houses and — warehouses, and may trade in all Kinds of produce, manufactures, and merchandise of lawful commerce, enjoying at all times the same privileges as may have been, or may hereafter be granted to the citizens or subjects of any other nation, paying at all times such duties and Taxes, as may be exacted from the citizens or subjects

of other nations, doing business or residing within the territories of each of the high contracting parties.

Article 3rd

Each of the high contracting parties shall have the right to appoint, if it shall seem good to them, a Diplomatic Agent, who shall reside at the seat of the Government of the respective countries, and Consuls and Consular Agents, who shall reside in the ports or places within the territories of the other, where trade with other nations is permitted. The Diplomatic Agents and Consuls of each of the high contracting parties, shall exercise all the authority and juris-diction, and shall enjoy within the territories of the other, all the rights, privileges, exemptions and immunities which now appertain, or may hereafter appertain to agents of the same rank of the most favored nation.

Article 4th

It is hereby stipulated that the — Hawaiian Government, and its — subjects, upon like terms and conditions will be allowed free and equal ——

participation in all privileges immunities and advantages that may have been, or may hereafter be granted by His Majesty the Tennō of Japan, to the Government or citizens or subjects of any other nation.

Article 5th

The Japanese Government will place no restrictions whatever upon the employment by Hawaiian subjects of Japanese in any lawful capacity.

Japanese in the employ of Foreigners may obtain Government passports to go abroad, on application to the Governor of any open Port.

Article 6th

It is hereby agreed that such revision of this Treaty, on giving six months previous notice, to either of the high contracting parties, may be made by mutual — agreement, as experience shall prove — necessary.

Article 7th

The present Treaty shall be ratified by His Majesty the King of the Hawaiian Islands, and by His Imperial Majesty the Tennō, and the ratifications exchanged

at Yedo. the same day as the date of this Treaty, and shall go into effect immediately after the date of such exchange of —— ratifications.

In taken whereof the respective Plenipotentiaries have signed this Treaty.

Done at the City of Yedo this 19th day of August A. D. one thousand eight hundred and seventy one, corresponding in Japanese date to the day of the 7th Month of the 4th year of Meiji.

And Whereas, — We have fully examined all the points and articles — thereof, We have confirmed and ratified the foregoing Treaty, and We do — confirm and ratify the same, in the most effectual manner, promising on Our Faith and Word as King, for Us and Our Successors to fulfil and observe it faithfully and scrupulously in all its clauses.

In faith of which, We have signed this Ratification with Our own hand, and have affixed thereto the great Seal of Our Kingdom.

Given at Our Palace at Honolulu this
in the year of Our Lord, one thousand eight hundred and seventy and in the of our reign.

Copy of Treaty between
Hawaii and Japan

No 1

Dated August 19th 1871

Mr Swett —

Former Exhibit
from Eoi Petitions Emit. Mei

Asks —

United States Legation

Yokohama August 21st 1871

No 232.

From C C De Long

Envoy Extraordinary and

Minister Plenipotentiary

Contents.

The Japanese Minister for Foreign

Affairs having spoken to me about concluding

an Extradition Treaty with the US Government

instructions asked for

I should be rather disposed to make the
tradition Convention await the general revision
Treaties next July. — There is a cheaper way to get
ir own fugitives — declare them out of the protection
the US & leave them to the mercies of Japan
they elect to surrender themselves for deportation
the US — As to Japanese fugitives in the US.
dont yet know enough of their Criminal Law to
termine the propriety of surrendering them —
As soon as the Japanese Government gets an
American Law Officer, this matter can be better adjusted
than now

E P S.

No 232 United States Legation

Yokohama Japan Aug 21st 1871

Sir.

At a recent interview that I held with their Excellencies the Ministers for Foreign Affairs of this Empire the matter of the adoption of an Extradition Treaty between the two countries was mooted.

I said nothing committing myself upon the subject as I purposed first to take your views. I have now to ask for your instructions in the premises and if it is agreeable to you to have such a Treaty concluded I would feel obliged to you if you would kindly furnish me in reply with a draft

Hon

Hamilton Fish

Secretary of State

Washington D C

draft of such a Treaty as would be
acceptable to you.

I have only to suggest that through the communication of the line of Steamers from San Francisco that this Empire may become a frequent resort for escaped Criminals from the United States and such a Treaty may be in future much needed by our Government unless you consider that under the rules of the doctrine of Extraterritoriality we might claim the right to arrest fugitives here and deport them without such a Treaty

I have the honor Sir

to be your most obedient Servant

C. E. De Long

Commodore

U.S. Navy

Commdg. U.S. Flagship

Onondaga on Expedition

to the Arctic Ocean in

search of the United States

Mr Pratt

acknowledged

United States Legation

Yokohama Japan August 21st 1871

No 233

From C E De Long

Envoy Extraordinary and

Minister Plenipotentiary

Contents.

State of the Country. Important

changes taking place caused by the

removal of many Daimios offices and

the appointment of others.

The action significant but not

yet understood by the Foreign Representatives

in relation to its effect upon the

Foreign Relations of Japan

No 233 United States Legation

Yokohama August 21st 1871

Sir.

I have the honor to advise you that many of the high officers of this Government have lately been removed or reduced in rank, and other appointed and removals and appointments are still going on. As yet I have not been able to obtain an official list of these removals and appointments but have been promised it so that I shall probably be able to forward it to you by the next mail.

The country seems to be in a state of perfect peace and tranquility yet these changes indicate a political revolution of some moment. My Colleagues and

Hon Hamilton Fish

Secretary of State

Washington DC

Respectfully

myself as yet at a loss to understand
the exact significance of these changes but
it seems to me to evidence that the Prince of
Satsuma is gradually rising in power and
may be looking to the establishment of a
Shogunate with himself as Tycoon.

I cannot as yet observe that what is
being done has any significance as
affecting the relations of the Empire
with Foreign States.

I have the honor to be
Sir
Your most obedient Servant
C E De Long

C E De Long
No 233
Received
Political conclusions
Yokohama